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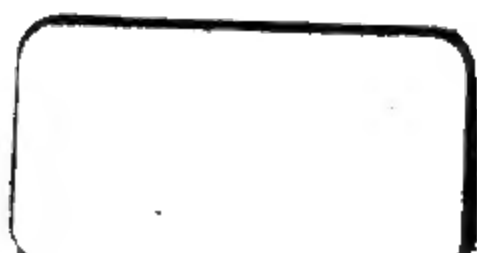
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THE  
JOURNAL OF THE SENATE  
OF THE  
LEGISLATIVE ASSEMBLY  
OF THE  
STATE OF OREGON  
FOR THE  
FIFTEENTH REGULAR SESSION  
1889.



SALEM, OREGON:  
FRANK C. BAKER, STATE PRINTER.  
1889.

OFFICERS OF THE SENATE.---1889.

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HON. JOSEPH<sup>2</sup> SIMON-----President.  
JOHN H. SHUPE-----Chief Clerk.  
E. G. HURSH-----First Assistant Clerk.  
C. W. WATTS-----Second Assistant Clerk.  
M. POMEROY-----Sergeant-at-Arms.  
ABE McCULLY-----Doorkeeper.

## MEMBERS OF THE SENATE.

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### ELECTED IN 1886.

*Baker*—George Chandler.

*Benton*—T. E. Cauthorn.

*Clakamas*—L. T. Barin.

*Clatsop, Tillamook and Columbia*—J. H. D. Gray.

*Grant*—J. H. Hamilton.

*Jackson*—A. C. Stanley.

*Lane*—R. M. Veatch.

*Linn*—R. A. Irvine, S. A. Dawson.

*Marion*—M. S. Chamberlin, J. B. Looney, J. B. Dimick.

*Multnomah*—Geo. A. Steel.

*Umatilla and Morrow*—J. P. Wager.

*Yamhill*—J. W. Watts.

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### ELECTED IN 1888.

*Coos, Curry and Josephine*—W. Sinclair.

*Crook, Klamath and Lake*—C. A. Cogswell.

*Douglas*—J. C. Fullerton.

*Lane*—S. B. Eakin.

*Multnomah*—J. C. Carson, Donald Mackay, Joseph Simon, J. K. Wait.

*Polk*—E. T. Hatch.

*Wasco*—Geo. Watkins.

*Wasco and Gilliam*—Charles Hilton.

*Washington*—Thos. Tongue.

*Washington, Columbia and Tillamook*—F. A. Moore.

*Umatilla and Union*—J. H. Raley.

*Union and Wallowa*—J. W. Norval.

## SENATE STANDING COMMITTEES.

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*Judiciary*—Barin, Moore, Fullerton, Tongue, Wager.

*Ways and Means*—Carson, Chamberlin, Dawson, Cauthorn, Chandler.

*Elections*—Moore, Looney, Veatch.

*Claims*—Wait, Gray, Raley.

*Corporations*—Watts, Mackay, Cogswell.

*Public Lands*—Fullerton, Watkins, Watts, Barin, Cogswell.

*Federal Relations*—Mackay, Watts, Veatch.

*Mines*—Hilton, Dimick, Irvine.

*Printing*—Sinclair, Steel, Cogswell.

*Railroads*—Steel, Norval, Sinclair, Stanley, Hamilton.

*Public Buildings*—Chamberlin, Carson, Gray.

*Roads and Highways*—Tongue, Dawson, Watts, Looney, Hamilton.

*Counties*—Norval, Eakin, Irvine.

*Military Affairs*—Dimick, Hatch, Wager.

*Commerce*—Gray, Mackay, Raley.

*Education*—Hatch, Cauthorn, Moore.

*Engrossed Bills*—Dawson, Barin, Chandler.

*Enrolled Bills*—Watkins, Carson, Stanley.

*Assessments*—Eakin, Hilton, Wait, Chamberlin, Wager.

*Agriculture*—Looney, Norval, Irvine.

*Fishing Industries*—Barin, Gray, Watkins, Sinclair, Cauthorn.

# SENATE JOURNAL.

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SENATE CHAMBER,  
SALEM, Oregon,  
January 14, 1889. }

In pursuance of law, the senate of the fifteenth biennial session of the legislative assembly of the State of Oregon met at 11 o'clock A. M. on the 14th day of January, 1889, in senate chamber at Salem, Oregon, and was called to order by Hon. J. W. Watts, Senator from Yamhill county, who placed in nomination for President *pro tem.* of the senate, Hon. L. T. Barin, Senator from Clackamas county.

A vote being taken, Hon. L. T. Barin was declared duly elected President *pro tem.* and took the chair.

Hon. F. A. Moore of Washington, Columbia and Tillamook, placed in nomination for Chief Clerk *pro tem.*, John H. Shupe of Douglas county.

A vote being taken, John H. Shupe was declared duly elected Chief Clerk *pro tem.*

Hon. F. A. Moore placed in nomination E. G. Hursh of Baker county for First Assistant Clerk *pro tem.*

A vote being taken, E. G. Hursh was declared duly elected First Assistant Clerk *pro tem.*

Hon. F. A. Moore placed in nomination C. W. Watts of Linn county for Second Assistant Clerk *pro tem.*

A vote being taken, C. W. Watts was declared duly elected Second Assistant Clerk *pro tem.*

Hon. F. A. Moore placed in nomination J. B. Eddy of Umatilla county for Reading Clerk *pro tem.*

A vote being taken, J. B. Eddy was declared duly elected Reading Clerk *pro tem.*

Hon. F. A. Moore placed in nomination M. Pomeroy of Columbia county for Sergeant-at-Arms *pro tem.*

A vote being taken, Mr. Pomeroy was declared duly elected Sergeant-at-Arms *pro tem.*

Hon. F. A. Moore placed in nomination Abe McCully of Marion county for Doorkeeper *pro tem*.

A vote being taken, Abe McCully was duly elected Doorkeeper *pro tem*.

On motion of Mr. Steel, the President *pro tem*. appointed a committee of three on credentials, as follows: Messrs. Steel of Multnomah, Chamberlin of Marion and Wager of Umatilla.

On motion of Mr. Watts, the Senate adjourned until 2 o'clock P. M.

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### AFTERNOON SESSION.

The Senate met and was called to order by the President *pro tem* at 2 o'clock P. M.

The committee on credentials submitted the following:

#### REPORT.

*Mr. President:*

We, your committee on credentials, find by the records of the regular session of 1887, that the following persons are entitled to seats in this body, to-wit:

Baker and Malheur counties—Geo. Chandler.

Benton county—T. E. Cauthorn.

Clackamas county—L. T. Barin.

Clatsop county—J. H. D. Gray.

Grant county—J. H. Hamilton.

Jackson county—A. C. Stanley.

Lane county—R. M. Veatch.

Linn county—R. A. Irvine and S. A. Dawson.

Marion county—M. L. Chamberlin, J. B. Looney and J. B. Dimick.

Multnomah county—Geo. A. Steel.

Umatilla county—J. P. Wager.

Yamhill county—J. W. Watts.

And we further find from certificates presented that the following persons were elected in 1888, and are entitled to seats in this body, to-wit:

Coos, Curry and Josephine counties—W. Sinclair.

Crook, Lake and Klamath counties—C. A. Cogswell.

Douglas county—J. C. Fullerton.



Lane county—S. B. Eakin.  
Multnomah county—J. C. Carson, Donald Mackay, Joseph Simon, J. K. Wait.  
Polk county—E. T. Hatch.  
Umatilla and Union counties—J. H. Raley.  
Union and Wallowa counties—J. W. Norval.  
Wasco and Gilliam—Chas. Hilton.  
Wasco county—Geo. Watkins.  
Washington county—Thos. H. Tongue.  
Washington, Columbia and Tillamook counties—F. A. Moore.

Respectfully submitted,

G. A. STEEL,  
M. L. CHAMBERLIN,  
J. P. WAGER,  
Committee.

On motion of Mr. Watts, the report of the committee on credentials was adopted.

On motion of Mr. Chandler, the President *pro tem.* directed the Sergeant-at-Arms to invite the Secretary of State within the bar of the senate to administer the oath of office to the newly-elected Senators.

The Secretary of State appeared within the bar of the senate and administered the oath accordingly, and a copy of such oath was subscribed to by each Senator, respectively.

Mr. Watts introduced the following resolution:

SENATE RESOLUTION NO. 1.

*Resolved*, That the senate proceed to effect a permanent organization by electing:

First—A President of the Senate.

Second—A Chief Clerk.

Third—An Assistant Clerk.

Fourth—A Second Assistant Clerk.

Fifth—A Reading Clerk.

Sixth—A Sergeant-at-Arms.

Seventh—A Doorkeeper.

Mr. Chandler moved to amend senate resolution No. 1 by striking out "Fourth—A Second Assistant Clerk."

On this question Mr. Veatch called for the ayes and noes.

The roll being called, the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dimick, Hamilton, Irvine, Looney, Raley, Stanley, Veatch, Wager—11.

Nays—Messrs. Barin, Carson, Chamberlin, Dawson, Eakin, Fullerton, Gray, Hatch, Hilton, Mackay, Moore, Norval, Sinclair, Steel, Simon, Tongue, Wait, Watkins and Watts—19.

So the amendment was declared lost.

The question now recurring on the adoption of the resolution, the same was, on motion of Mr. Watts, duly adopted.

The election of permanent officers was declared in order.

Mr. Barin, President *pro tem.*, then placed in nomination for President of the Senate, Hon. Joseph Simon of Multnomah county.

Mr. Chandler nominated Hon. T. E. Cauthorn of Benton county.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Simon were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins and Watts—20.

Those voting for Mr. Cauthorn were:

Messrs. Chandler, Cogswell, Hamilton, Irvine, Raley, Simon, Stanley, Veatch, Wager—9.

Mr. Dimick voted for Mr. Chamberlin—1.

Mr. Simon having received a majority of all the votes cast, was declared duly elected President of the Senate of the fifteenth biennial session.

The President *pro tem.* appointed Messrs. Hilton and Cogswell a committee to conduct the President-elect to the chair of the presiding officer.

The President-elect having been conducted to the chair, briefly tendered his thanks for the honor conferred upon him.

The Secretary of State was invited within the bar of the senate and administered the oath of office to the President-elect, who duly subscribed his name thereto.

The election of Chief Clerk being next in order, Mr. Moore placed in nomination John H. Shupe of Douglas county.

Mr. Cogswell placed in nomination Mr. Douthit of Crook county.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Shupe were:

Messrs. Barin, Carson, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Simon, Steel, Tongue, Wait, Watkins and Watts—21.

Those voting for Mr. Douthit were:

Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Stanley, Veatch and Wager—9.

Mr. Shupe, having received a majority of all the votes cast, was declared duly elected Chief Clerk.

The election of First Assistant Clerk being next in order, Mr. Moore placed in nomination E. G. Hursh of Baker county for First Assistant Chief Clerk.

Mr. Raley placed A. W. Elam of Umatilla county in nomination.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Hursh were:

Messrs. Barin, Carson, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Simon, Sinclair, Steel, Tongue, Wait, Watkins and Watts—21.

Those voting for Mr. Elam were:

Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Stanley, Veatch and Wager—9.

Mr. Hursh having received a majority of all the votes cast, was declared duly elected First Assistant Clerk.

The election of Second Assistant Clerk being next in order, Mr. Moore placed in nomination C. W. Watts, of Linn county.

There being no further nominations, the senate proceeded to vote with the following result:

Those voting for Mr. Watts were:

Messrs. Barin, Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Gray, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins, Watts and Mr. President—23.

Those not voting were:

Messrs. Cauthorn, Cogswell, Irvine, Raley, Stanley, Veatch and Wager—7.

Mr. Watts having received a majority of all the votes cast, was declared duly elected Second Assistant Clerk.

Nominations for Reading Clerk being declared in order, Mr. Moore placed in nomination J. B. Eddy, of Umatilla county.

Mr. Veatch placed in nomination Marion Martin, of Lane county.

The roll was called and those voting for J. B. Eddy were:

Messrs. Barin, Carson, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins, Watts and Mr. President—21.

Those voting for Marion Martin were:

Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Stanley, Veatch and Wager—9.

Mr. J. B. Eddy having received a majority of all the votes cast, was declared duly elected as Reading Clerk.

Nominations for Sergeant-at-Arms being declared in order, Mr. Moore placed in nomination M. Pomeroy, of Columbia county.

Mr. Stanley placed in nomination C. A. Logan, of Jackson county.

The roll was called and those voting for Mr. Pomeroy were:

Messrs. Barin, Carson, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins, Watts and Mr. President—21.

Those voting for Mr. Logan were:

Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Stanley, Veatch and Wager—9.

Mr. Pomeroy having received a majority of all the votes cast, was declared duly elected Sergeant-at-Arms.

Nominations for Doorkeeper being declared in order, Mr. Moore placed in nomination Abe McCully of Marion county.

Mr. Irvine placed in nomination Henry Downing of Marion county.

The roll was called and those voting for Mr. McCully were:

Messrs. Barin, Carson, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins, Watts and Mr. President—21.

Those voting for Mr. Downing were:

Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Stanley, Veatch and Wager—9.

Mr. McCully having received a majority of all the votes cast, was declared duly elected as Doorkeeper.

The Secretary of State being within the bar, administered the oath of office to the following elected officers, viz.: Chief Clerk, First Assistant Clerk, Second Assistant Clerk, Reading Clerk, Sergeant-at-Arms and Doorkeeper, who subscribed their names thereto.

On motion of Mr. Moore, the President was authorized to appoint three Pages, one of whom shall attend to carrying the mail.

Mr. Watts introduced the following resolution:

#### SENATE RESOLUTION NO. 2.

*Resolved*, That the rules of the last regular session of the senate be adopted as the rules of this session.

On motion of Mr. Watts, senate resolution No. 2 was adopted.

On motion of Mr. Dawson, the Sergeant-at-Arms was instructed to furnish each member with a copy of the last rules of the senate.

On motion of Mr. Carson, the Chief Clerk was ordered to inform the house that the senate was now organized and ready for business.

On motion of Mr. Wager, the Sergeant-at-Arms was ordered to furnish each member with copies of the last journal, session laws and code.

Mr. Gray moved that the Sergeant-at-Arms be ordered to furnish each Senator with five dollars' worth of postage stamps and one dollar's worth of wrappers.

Mr. Cauthorn offered an amendment including all the officers of the senate.

Amendment carried.

Motion as amended carried.

Mr. Dawson introduced the following resolution :

SENATE RESOLUTION NO. 3.

*Resolved*, That the reporters of the various newspapers of the State are hereby invited to occupy seats within the bar of the senate, and that the Sergeant-at-Arms be instructed to provide for their convenience, and also to furnish them with stationery.

On motion of Mr. Dawson, senate resolution No. 3 was adopted.

Mr. Cauthorn introduced the following :

SENATE RESOLUTION NO. 4.

*Resolved*, That the clergy of the State be invited, by the President, to open the morning sessions of the senate with prayer.

On motion of Mr. Cauthorn, senate resolution No. 4 was adopted.

Mr. Chamberlin introduced the following resolution :

SENATE RESOLUTION NO. 5.

*Resolved*, That the Sergeant-at-Arms be instructed to furnish each Senator with four copies of such newspapers as each may select, during the present session.

On motion of Mr. Chamberlin, senate resolution No. 5 was adopted.

On motion of Mr. Steel, the senate adjourned until 10 o'clock to-morrow.

JOHN H. SHUPE,  
Chief Clerk.

TUESDAY, JANUARY 15, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 15, 1889. }

The senate met pursuant to adjournment, and was called to order by President Simon.

The roll was called and all the Senators were present.

The journal of yesterday was read and approved.

On motion of Mr. Barin, the President was authorized to appoint a suitable person as Mailing Clerk, who is to receive the same compensation as the Pages.

The President appointed as Pages, Charles Henderson and James Clark, and W. H. Mattoon as Mailing Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 14, 1889. }

*Mr. President:*

- I am directed by the Speaker to inform you that the house has completed its organization by electing the following officers:

Hon. E. L. Smith, Speaker.

J. T. Gregg, Chief Clerk.

O. P. Miller, Assistant Chief Clerk.

S. J. Finch, Sergeant-at-Arms.

C. O. Boynton, Doorkeeper.

N. J. Haas, Mac. Smith and Carl Gray as Pages.

The house is now ready for the transaction of business.

J. T. GREGG,  
Chief Clerk.

The President announced the appointment of the following standing committees of the senate:

*Judiciary*—Barin, Moore, Fullerton, Tongue, Wager.

*Ways and Means*—Carson, Chamberlin, Dawson, Cauthorn, Chandler.

*Elections*—Moore, Looney, Veatch.

*Claims*—Wait, Gray, Raley.

*Corporations*—Watts, Mackay, Cogswell.



*Public Lands*—Fullerton, Watkins, Watts, Barin, Cogswell.  
*Federal Relations*—Mackay, Watts, Veatch.  
*Mines*—Hilton, Dimick, Irvine.  
*Printing*—Sinclair, Steel, Cogswell.  
*Railroads*—Steel, Norval, Sinclair, Stanley, Hamilton.  
*Public Buildings*—Chamberlin, Carson, Gray.  
*Roads and Highways*—Tongue, Dawson, Watts, Looney, Hamilton.  
*Counties*—Norval, Eakin, Irvine.  
*Military Affairs*—Dimick, Hatch, Wager.  
*Commerce*—Gray, Mackay, Raley.  
*Education*—Hatch, Cauthorn, Moore.  
*Engrossed Bills*—Dawson, Barin, Chandler.  
*Enrolled Bills*—Watkins, Carson, Stanley.  
*Assessments*—Eakin, Hilton, Wait, Chamberlin, Wager.  
*Agriculture*—Looney, Norval, Irvine.  
*Fishing Industries*—Barin, Gray, Watkins, Sinclair, Cauthorn.  
Mr. Cogswell introduced the following memorial:

## SENATE JOINT MEMORIAL NO. 1.

*To the Honorable, the Senate and House of Representatives of the United States:*

Your memorialists, the legislative assembly of the State of Oregon, respectfully request that the congress of the United States will make the necessary appropriation of money, and enact what additional legislation, if any is necessary, in order to secure the strict enforcement of an Act of congress, approved October 1, 1888, excluding all Chinese laborers from hereafter being permitted to enter the territory of the United States.

And your memorialists as in duty bound will ever pray.

Mr. Cogswell moved the adoption of the memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Tongue—1.

So senate joint memorial No. 1 was declared adopted.

On motion of Mr. Cauthorn, Mr. Robert Clow, ex-Senator from Polk county, was invited within the bar of the senate, and the usual courtesies extended to him.

On motion of Mr. Fullerton, the usual courtesies of the senate were extended to ex-Senator G. W. Colvig of Douglas.

Mr. Cogswell asked to be excused from attendance for the remainder of the day, which request was granted.

Mr. Wager introduced a petition from citizens of Eastern Oregon, praying for the enactment of a law providing for the holding of one term of the supreme court annually at Pendleton in Eastern Oregon.

The said petition, on motion of Mr. Wager, was referred to the committee on judiciary.

Mr. Watts introduced the following resolution:

**SENATE RESOLUTION NO. 6.**

*Resolved*, That the Sergeant-at-Arms be instructed to furnish the officers of the senate with four copies of such newspaper, as each may select during the present session.

Senate resolution No. 6 was, on motion of Mr. Watts, duly adopted.

Mr. Veatch introduced the following senate concurrent resolution:

**SENATE CONCURRENT RESOLUTION NO 1.**

*Resolved by the Senate, the House concurring:*

That a joint committee of two from the senate and three from the house be appointed to examine into the condition and workings of the State agricultural college of Oregon, as to the present condition in compliance with the laws creating it, as to its requirements, if any, with full examination into all of its workings, and that they be required to report at earliest day possible.

On motion of Mr. Veatch, senate concurrent resolution No. 1 was adopted.

Mr. Irvine introduced the following resolution:

**SENATE RESOLUTION NO. 7.**

*Resolved*, That the enrolling committee, the engrossing committee, and the judiciary committee shall each be allowed one clerk and no more, and neither of said committees or any other committee of the senate shall employ any additional or other clerical aid unless authorized to do so by express authority of the senate, and such authority shall be obtained upon the report of the chairman of the committee that such clerical aid is actually necessary.

On motion of Mr. Carson, senate resolution No. 7 was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 15, 1889. )

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 1, relating to the investigation of the Treasurer's books.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 1 accompanying the foregoing message, was read, the following being a copy thereof:

## HOUSE CONCURRENT RESOLUTION NO. 1.

*Resolved by the House, the Senate concurring :*

That a committee of five, consisting of two Senators and three Representatives, be appointed to examine the books of the State Treasurer, with power to employ necessary clerical assistance.

On motion of Mr. Dawson, house concurrent resolution No. 1 was concurred in.

## INTRODUCTION AND FIRST READING OF BILLS.

Mr. Looney introduced senate bill No. 1, being a bill for an Act to repeal an Act defining vagrants and providing a penalty for vagrancy.

So the bill was read the first time and passed to a second reading without a question.

Mr. Wager introduced senate bill No. 2, being a bill for an Act to provide for the holding of terms of the supreme court at Jacksonville, Salem and Pendleton.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson,

Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cogswell—2.

So the bill was read the first time by title and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 2, providing for a committee to wait on the Governor.

The house committee are Messrs. Earhart, Armstrong and Jennings.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 2 accompanying the foregoing message, was read, the following being a copy thereof:

#### HOUSE CONCURRENT RESOLUTION NO. 2.

*Resolved by the House, the Senate concurring:*

That a committee of three on the part of the house and two on the part of the senate be appointed to inform His Excellency, the Governor, that both houses are now organized and ready to receive any communication he may have to make.

On motion of Mr. Wager, the senate concurred in house concurrent resolution No. 2.

The President appointed as such committee on the part of the senate, Messrs. Wager and Dimick.

Mr. Sinclair introduced senate bill No. 3, a bill for an Act to promote drainage for agricultural and sanitary purposes.

Mr. Sinclair moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cogswell and Gray.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Hatch introduced senate bill No. 4, being a bill for an Act to prevent betting upon elections.

Mr. Hatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Irvine introduced senate bill No. 5, being a bill for an Act to incorporate the city of Albany.

Mr. Irvine moved that the rules be suspended and that the bill be read first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell—1.

So the bill was read the first time by title and passed to a second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 3, that a committee of three from the house and two from the senate.[?]

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The accompanying house concurrent resolution No. 3 was read, and the following is a copy thereof:

## HOUSE CONCURRENT RESOLUTION NO. 3.

*Resolved by the House, the Senate concurring :*

That a committee of three from the house and two from the senate be appointed to examine into the affairs of the State insane asylum.

On motion of Mr. Veatch, the senate concurred in house concurrent resolution No. 3.

Mr. Watts introduced senate bill No. 6, being a bill for an Act for the relief of Joel J. Hembree.

Which was read the first time and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 7, being a bill for an Act exempting firemen from certain duties.

Which was read the first time and passed to a second reading without question.

On motion of Mr. Wager, the courtesies of the senate were extended to ex-Senator J. M. Siglin of Coos county and ex-Senator J. H. Slater of Union county.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted senate joint memorial No. 1.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

Mr. Wait introduced senate bill No. 8, being a bill for an Act to cure defects in deeds and judicial sale of real property.

Mr. Wait moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell.

So the bill was read the first time by title and passed to a second reading without further question.

Mr. Eakin introduced senate bill No. 9, being a bill for an Act to amend section 2335, chapter X, miscellaneous laws of Oregon relating to county courts.

Which was read the first time and passed to a second reading without question.

Mr. Wager introduced senate bill No. 10, being a bill for an Act to regulate the foreclosure of mortgages and provide additional duties for county officers.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cogswell and Sinclair—3.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Raley introduced senate bill No. 11, being a bill for an Act to authorize annuity, safe deposit and trust companies to be appointed and act as guardians, administrators, executors, assigns, receivers and trustees.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cogswell and Sinclair—3.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 12, being a bill for an Act to amend section 3042 of title I of chapter XXI of the laws of Oregon, compiled and annotated by W. Lair Hill.

Which was read the first time and passed to a second reading without question.

Mr. Irvine introduced senate bill No. 13, being a bill for an Act to amend section 931 of the code of civil procedure.

Which was read the first time and passed to a second reading without question.

By unanimous consent, Mr. Carson moved that the Sergeant-at-Arms be instructed to have printed 200 copies of the rules of the senate and house, together with the standing committees of the senate and house.

Which motion prevailed.

Mr. Raley introduced senate bill No. 14, being a bill for an Act to confirm to the county of Umatilla the title to block No. 12 in the town of Pendleton.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cogswell and Steel—2.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Eakin introduced senate bill No. 15, being a bill for an Act to provide for the improvement of Fall creek and Little Fall creek in Lane county, Oregon.

Mr. Eakin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cogswell and Sinclair—2.

So the bill was read the first time by title and passed to a second reading without further question.

Mr. Chandler introduced senate bill No. 16, being a bill for an Act to credit Baker county with warrants now due the State as delinquent taxes.

Mr. Chandler moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell—1.

So the bill was read the first time by title and passed to a second reading without question.

On motion of Mr. Carson, the senate adjourned.

#### AFTERNOON SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called and all the Senators were present except Mr. Cogswell, who was absent on leave.

Mr. Wager introduced the following :

SENATE CONCURRENT RESOLUTION NO. 2.

*Resolved by the Senate, the House concurring :*

That the legislative assembly meet in joint convention in the hall of the house of representatives on Wednesday, January 16, at 11 o'clock A. M., for the purpose of hearing such communication as His Excellency, the Governor of the State of Oregon, may desire to make to the legislature, said hour being the time designated by the Governor, when he would be ready to communicate with the legislature.

On motion of Mr. Wager, senate concurrent resolution No. 2 was adopted.

Mr. Gray gave notice that on to-morrow he would introduce an amendment to the rules of the senate for the creation of a standing committee of five on fishing industries.

Mr. Carson introduced senate bill No. 17, being a bill for an Act to amend the charter of the city of Portland.

Mr. Carson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Looney introduced senate bill No. 18, being a bill for an Act to create a board of county school commissioners in each county and repeal sections 2575 2576, and 2577 of Hill's code of Oregon.

Mr. Looney moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cogswell and Stanley.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Wager introduced senate bill No. 19, being a bill for an Act to amend section 1, title I of the miscellaneous laws of Oregon.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 20, being a bill for an Act to amend section 2755 of title III, chapter XVII of the laws of Oregon, as compiled and annotated by Mr. Hill.

Which was read the first time and passed to a second reading without question.

Mr. Raley introduced senate bill No. 21, being a bill for an Act to provide for the completion of a wagon road from the town of Pendleton in Umatilla county, Oregon, to the town of Canyon City, Grant county, Oregon, and to appropriate money therefor.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell—1.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick introduced senate bill No. 22, being a bill for an Act to extirpate Canada thistles.

Mr. Dimick moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cogswell—1.

So the bill was read the first time by title and passed to a second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 1, to examine into the workings of the State agricultural college.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced the appointment of Messrs. Steel and Cogswell as a committee on the part of the senate to examine the Treasurer's books, pursuant to house concurrent resolution No. 1.

Also the appointment of Messrs. Veatch and Hatch to examine into the condition of the agricultural college, pursuant to senate concurrent resolution No. 1.

Mr. Norval introduced senate bill No. 23, being a bill for an Act for the relief of Union county.

Mr. Norval moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Barin and Cogswell—2.

So the bill was read the first time by title and passed to a second reading without question.

Mr. Watkins introduced senate bill No. 24, being a bill for an Act to amend the laws of the State of Oregon designated in Hill's annotated laws as section 954.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cogswell and Gray—2.

So the bill was read the first time by title and passed to a second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 2, to meet in joint convention in the hall of the house on Wednesday, January 16, at 11 A. M.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

Mr. Watkins introduced senate bill No. 25, being a bill for an Act to amend the laws of the State of Oregon designated in Hill's annotated laws as section 948.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson,

Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cogswell and Gray—2.

So the bill was read the first time by title and passed to a second reading without question.

On motion of Mr. Wager, the courtesies of the senate were extended to Hon. A. J. Fee, judge of the sixth judicial district.

Mr. Chamberlin introduced

#### SENATE CONCURRENT RESOLUTION NO 3.

*Resolved by the Senate, the House concurring :*

That a committee of five be appointed, consisting of two Senators and three Representatives, to examine the books, accounts and papers of the Secretary of State, with power to employ necessary clerical aid.

On motion of Mr. Chamberlin, senate concurrent resolution No. 3 was adopted.

Mr. Fullerton introduced

#### SENATE CONCURRENT RESOLUTION NO. 4.

*Resolved by the Senate, the House concurring :*

That a committee consisting of two members of the senate and three of the house be appointed a committee to investigate the records and accounts of the board of State land commissioners.

On motion of Mr. Fullerton, senate concurrent resolution No. 4 was adopted.

On motion of Mr. Cauthorn, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

WEDNESDAY, JANUARY 16, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 16, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.



The roll was called and all the Senators were found to be present except Mr. Wager.

Prayer was offered by Rev. Rollins of Salem.

The journal of yesterday was read and approved.

Mr. Wait introduced the following resolution :

SENATE RESOLUTION NO. 8.

*Resolved*, That the chairman of each and every of the senate standing committees be empowered to select such clerical aid as the members of his committee may deem necessary for the speedy and correct transation of business, and that said chairman shall notify the Secretary of State of the day and date of such appointment, with the name of the person so appointed.

On motion of Mr. Steel, senate resolution No. 8 was adopted.

Mr. Carson introduced the following resolution :

SENATE RESOLUTION NO. 9.

*Resolved*, That the Sergeant-at-Arms be instructed to procure a good and suitable clock, and place it in some suitable place in the senate chamber for the convenience and use of this body.

On motion of Mr. Carson, senate resolution No. 9 was adopted.

Mr. Steel introduced

SENATE CONCURRENT RESOLUTION NO. 5.

As follows:

*Resolved by the Senate, the House concurring:*

That a joint committee, consisting of the senate and house committee on printing, be appointed to investigate the manner in which the printing for the State has been done during the past two years, and the said committee is hereby empowered to employ an expert—a practical printer—to measure and report the amount of printing done for the various departments of State.

On motion of Mr. Steel, senate concurrent resolution No. 5 was adopted.

Mr. Irvine introduced the following resolution :

SENATE RESOLUTION NO. 10.

WHEREAS, It is the policy of this State to secure those who furnish labor and material to erect and build for others by allowing

them a lien upon said structures for such labor and materials ; therefore,

*Be it resolved*, That the judiciary committee be and is hereby directed and instructed to inquire into the expediency and propriety of extending such liens to all roads, railroads, bridges, and all other structures, improvements and erections not included in the present lien laws.

On motion of Mr. Irvine, senate resolution No. 10 was adopted. Mr. Gray introduced the following resolution :

#### SENATE RESOLUTION NO. 11.

WHEREAS, The fishing industry of the State of Oregon requires the special care and consideration of the State; therefore,

*Be it resolved*, That the President of the Senate be and is hereby authorized to appoint a standing committee of five Senators, to be known as the committee on fishing industries, and that rule 4 of the senate be amended so as to provide for such standing committee.

On motion of Mr. Gray, senate resolution No. 11 was adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 6, providing a joint committee to examine the books and affairs of the Oregon State penitentiary, consisting of three from the house and two from the senate.

And the same is herewith submitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 6 accompanying the foregoing message, was read, and on motion of Mr. Mackay was concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 3, relating to a joint

committee to examine the books of the Secretary of State; also senate concurrent resolution No. 4, providing for a joint committee to examine the books and accounts of the clerk of the board of school land commissioners.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 4, to provide a joint committee of five to examine the books and accounts of the Secretary of State and of the clerk of the board of school land commissioners.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Dawson, house concurrent resolution No. 4 was laid on the table, for the reason that the same subject matter was contained in senate concurrent resolutions Nos. 3 and 4.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 2, providing for a joint committee to look into the fisheries of the State of Oregon and to examine the books and accounts of the fish commission.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Gray, house joint resolution No. 2 was laid on the table, for the reason that the same matter was contained in senate resolution No. 11.

Mr. Wager introduced the following resolution :

SENATE CONCURRENT RESOLUTION NO. 6.

*Resolved by the Senate, the House concurring :*

That the committees on assessment of the senate and house comprise a joint committee, and as such are instructed to hold sessions jointly and consider all bills and business properly coming before the assessment committee of either house.

On motion of Mr. Wager, senate concurrent resolution No. 6 was adopted.

INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Gray introduced senate bill No. 26, being a bill for an Act to authorize the construction and operations of a portage railroad at the Cascades and between The Dalles and Celilo, Oregon.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to second reading without question.

Mr. Watts introduced senate bill No. 27, being a bill for an Act to amend section 3 of an Act entitled "An Act providing for the establishment of State normal schools."

The bill was read the first time and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 28, being a bill for an Act to provide for the purchase of land and the erection of suitable buildings thereon for the deaf mutes of Oregon.

Mr. Dawson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Norval and Wait—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Tongue introduced senate bill No. 29, being a bill for an Act to amend title I of chapter XXIII of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Tongue moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Wait—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Cogswell introduced senate bill No. 30, being a bill for an Act to provide for the times of holding the terms of the county court in Klamath county.

The bill was read the first time and passed to a second reading without a question.

Mr. Cogswell introduced senate bill No. 31, being a bill for an Act to provide against the re-entry upon lands by persons who shall have been ejected therefrom by a legal process and to punish such unlawful entry.

The bill was read the first time and passed to a second reading without a question.

The hour for the meeting of the joint convention having arrived, the senate repaired to the hall of the house of representatives for the purpose of meeting the house of representatives in joint convention.

#### JOINT CONVENTION.

The convention assembled in the hall of the house of repre-

sentatives at 11 o'clock A. M., pursuant to senate concurrent resolution No. 2.

The convention was called to order by the President of the Senate.

The Chief Clerk of the senate called the roll of the senate.

All the Senators were present.

The Chief Clerk of the house called the roll of the house.

All members present, except Messrs. Harrington and Powell.

Representative Apperson moved that the President appoint a committee of three to wait on the Governor and inform him that the joint convention is now ready to receive any communication he may have to make to the legislature of Oregon.

The President appointed the following committee: Representatives Apperson, Miller of Jackson, and Senator Chamberlin.

The committee retired and soon returned to the joint convention accompanied by His Excellency, Sylvester Pennoyer, Governor of the State of Oregon, who, after being appropriately introduced, duly delivered his biennial message.

On motion of Mr. Thompson, Representative from Multnomah, the joint convention was dissolved.

The senate returned to the senate chamber.

#### IN THE SENATE.

The senate being again called to order by the President, Mr. Steel moved that the senate adjourned, which motion prevailed.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called and all the Senators were present except Messrs. Chamberlin and Hilton.

By unanimous consent, Mr. Watts introduced the following resolution:

#### SENATE RESOLUTION NO. 12.

*Resolved*, That 1000 copies of the Governor's message be ordered printed for the use of the senate.

Mr. Watts moved the adoption of senate resolution No. 12.

Mr. Wager moved to amend senate resolution No. 12 by inserting "250" instead of "1,000."

A vote being taken on the amendment, the same was lost.

The question now recurring on the adoption of the resolution, the same prevailed.

The President appointed the following committees:

On the standing committee on fishing industries, Messrs. Barin, Gray, Watkins, Sinclair and Cauthorn.

On the joint committee in pursuance to house concurrent resolution No. 6, to investigate matters at the penitentiary, Messrs. Mackay and Hamilton, on the part of the senate.

On the joint committee to examine into the condition of affairs at the insane asylum, Messrs. Looney and Wager, on the part of the senate.

On the joint committee to examine the books and affairs of the office of Secretary of State, Messrs. Chamberlin and Chandler, on the part of the senate.

On the joint committee to examine the records and official conduct of the board of State land commissioners, Messrs. Fullerton and Stanley, on the part of the senate.

#### INTRODUCTION OF BILLS.

Mr. Hatch introduced senate bill No. 32, being a bill for an Act for the appointment of regents for the State normal school at Monmouth and to prescribe their duties.

Mr. Hatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chamberlin and Gray—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 33, being a bill for an Act to amend sections 4081, 4082 and 4097, title I, chapter LXXVI, Hill's annotated code.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Chandler—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Irvine introduced senate bill No. 34, being a bill for an Act to incorporate the city of Halsey, Linn county, Oregon.

Mr. Irvine moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Chandler—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 35, being a bill for an Act to authorize the Gardiner Mill Company to construct a boom on the Umpqua river in Douglas county.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Steel introduced senate bill No. 36, being a bill for an Act



to amend title III of chapter XIII of the miscellaneous laws of Oregon, compiled by W. Lair Hill.

Mr. Steel moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Tongue introduced senate bill No. 37, being a bill for an Act to amend section 3015, of the laws of Oregon, Hill's code.

The bill was read the first time and passed to a second reading without a question.

Mr. Dawson introduced senate bill No. 38, being a bill for an Act to prohibit the sale of tobacco, cigars or cigarettes to minors under the age of 18 years.

The bill was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE SECRETARY OF STATE.

OFFICE OF SECRETARY OF STATE, }  
SALEM, Oregon, }  
January 16, 1889. }

*To the Honorable, the President of the Senate of the Legislative Assembly of the State of Oregon:*

I have the honor herewith to deliver to the senate a printed report of the board of railroad commissioners which was transmitted to this office January 7, 1889, to be laid before the present session of the legislative assembly as provided by law.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President :*

I am directed by the speaker to inform you that the house has adopted house concurrent resolution No. 8, to provide for a joint committee to examine the fishery industries of this State.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Gray, house concurrent resolution No. 8 accompanying the foregoing message, was referred to the committee on fishing industries.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted senate concurrent resolution No. 5, providing for a joint standing committee to investigate State printing.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 7, to provide a joint committee to examine the affairs and manner in which the State printing has been done.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Carson, house concurrent resolution No. 7 was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 11, providing for a joint committee of three from the house and two from the senate to visit the school for deaf mutes and report.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Gray, house concurrent resolution No. 11 accompanying the foregoing message was read and concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 12, providing for a joint committee, consisting of three from the house and two from the senate, to investigate the offices of State Treasurer, Secretary of State, and the fish commission.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Carson, house joint [?] resolution No. 12 accompanying the foregoing message was laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 16, 1889. )

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 10, providing for a joint committee of three of the house and two of the senate to examine the affairs of the Oregon State penitentiary.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Cogswell, house concurrent resolution No. 10 accompanying the foregoing message, was laid on the table.

On motion of Mr. Cauthorn, the courtesies of the senate were extended to ex-Senator Rinehart of Union county.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. P. P. Prim of Jackson county.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 16, 1889. )

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 9, providing for a joint committee of three from the house and two from the senate to examine into the affairs of the State university.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Carson, house concurrent resolution No. 9, accompanying the foregoing message, was concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 6.

And the same is herewith transmitted to you.

J. T. GREGG,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has appointed as a committee on behalf of the house under senate concurrent resolution No. 3 to examine the books of the Secretary of State, Messrs. Apperson, Earhart, and Miller of Jackson.

J. T. GREGG,  
 Chief Clerk.

The following communication was received and read:

HEADQUARTERS BRIGADE, }  
 OREGON NATIONAL GUARD, }  
 SALEM, Oregon, Jan. 16, 1889. }

*Hon. Joseph Simon, President of the Senate, Salem, Oregon:*

SIR: I am directed by Brigadier-General Siglin to respectfully invite your presence at an inspection, review and dress parade of the first regiment, Oregon national guard, and battery "A," Oregon national guard, at the armory of the first regiment at Portland. January 19, 1889, at 8 o'clock P. M.

And I have the honor, sir, to be, very respectfully,

Your obedient servant,

ISAAC A. MANNING,  
 1st. Lieut. and A. D. C.

On motion of Mr. Watts, the foregoing communication was referred to the committee on military affairs.

Mr. Wager introduced senate bill No. 39, being a bill for an Act to amend section 4063, chapter LXXVI title I of Hill's annotated code.

The bill was read the first time and passed to a second reading without a question.

Mr. Chandler introduced senate bill No. 40, being a bill for an Act to repeal an Act relating to county clerk's fees of Baker county.

The bill was read the first time and passed to a second reading without a question.

Mr. Cogswell introduced senate bill No. 41, being a bill for an Act to amend section 2540, miscellaneous laws of Oregon, Hill's code of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Wager introduced senate bill No. 42, being a bill for an Act for a homestead law.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Chamberlin—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Looney introduced senate bill No. 43, being a bill for an Act to repeal section 16 of an Act entitled an Act to provide for the support and government of the State university of Oregon, approved October 21, 1876.

The bill was read the first time and passed to a second reading without a question.

Mr. Hatch introduced the following :

#### SENATE JOINT RESOLUTION NO. 1.

WHEREAS, The industrial, commercial and educational interests of our own State are being rapidly developed ; and,

WHEREAS, Many important features touching the improvement of school systems are being adopted in other States ; and,

WHEREAS, Recognizing the necessity of developing to higher degrees of excellence in the public shools of our State ; therefore,

*Be it resolved by the Senate, the House concurring:*

That the Superintendent of Public Instruction be and is hereby authorized and directed to examine the public school systems of other States and Territories relative to the following features, viz:

First—The merits of the township plan of school organization over our present district plan of organization.

Second—The laws adopted for compulsory education in other States and the advantages of the same.

Third—The laws of other States relative to the adoption of text-books.

Fourth—The laws of other States establishing the free text-book system and the several methods of establishing the same.

Fifth—The laws of other States establishing the contract system and State publication system of text-books, and the advantages and disadvantages of the same; and,

*Resolved further,* That the Superintendent of Public Instruction shall, by correspondence with the U. S. commissioners of education, the various departments of public instruction in other States, and by personal visitations (when the same may be practicable) secure information in relation to all of the above mentioned features of school work; and,

*Resolved further,* That he shall present in his next biennial report a synopsis of all the merits, etc., of the aforesaid questions for the information of the legislature at the next biennial session.

Mr. Fullerton moved to refer senate joint resolution No. 1 to the committee on education.

Mr. Cogswell moved to amend Mr. Fullerton's motion by substituting "judiciary" instead of "education."

A vote being taken on the amendment, the same was carried, and the original motion as amended prevailed.

So senate joint resolution No. 1 was referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has appointed on behalf of house under house concurrent resolution No. 1, to examine the books of State Treasurer, Messrs. Earhart, Bean, and Miller of Linn.

And under house concurrent resolution No. 3, to examine the affairs of the insane asylum, Messrs. Roberts, Fisher of Multnomah and Jennings.

And under senate concurrent resolution No. 4, to examine affairs of State land commissioners, Messrs. Blundell, Goodnough and Moss.

And under senate concurrent resolution No. 1, relative to agricultural college, Messrs. Geer, Laughlin and Napton.

J. T. GREGG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 16, 1889. )

*Mr. President:*

I am directed by the Speaker to inform you that he has appointed under house concurrent resolution No. 6, to visit penitentiary, Messrs. Wilson, Fell and Gambee.

J. T. GREGG,  
Chief Clerk.

Mr. Watkins introduced senate bill No. 44, being a bill for an Act to amend the civil code of procedure of the State of Oregon designated in Hill's annotated code as section 186.

The bill was read the first time and passed to a second reading without a question.

Mr. Chamberlin introduced senate bill No. 45, being a bill for an Act to create the county of Morton and to fix the salaries of county judge and treasurer thereof.

Mr. Chamberlin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Gray and Stanley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.



Mr. Dawson introduced senate bill No. 46, being a bill for an Act to regulate foreign corporations doing business in this State.

Mr. Dawson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Gray, Steel and Veatch—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick introduced the following:

#### SENATE JOINT MEMORIAL NO. 2.

WHEREAS, During the war of the rebellion of 1861 and 1865 the Government of the United States paid her soldiers in greenbacks of the value of from 40 cents to one dollar, averaging probably about sixty cents; and,

WHEREAS, All other obligations of the Government have been paid in coin; and,

WHEREAS, There is now a large surplus in the U. S. treasury that would not be there but for the sacrifice made by the soldiers of the Union; therefore,

The legislature of the State of Oregon memorialize and pray the congress of the United States to enact a law providing for the payment to each soldier the difference between the value of the currency paid him and the value of coin at the time of payment. And we specially ask our Senators and Representatives in congress to use all honorable means to procure the enactment of such laws as may be necessary to that end.

Mr. Dimick moved the adoption of senate joint memorial No. 2.

Mr. Gray moved to refer it to the committee on military affairs and have it printed.

After considerable discussion Mr. Gray withdrew his motion, with the consent of his second, to refer and print.

Mr. Wager moved to refer it to the committee on military affairs, which, after more discussion, after a vote, was lost.

The question now recurring on the original motion for the adoption of senate joint memorial No. 2, the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—Messrs. Cogswell, Stanley and Veatch—3.

Absent—Mr. Cauthorn—1.

So senate joint memorial No. 2 was declared adopted.

Mr. Watts introduced the following resolution:

#### SENATE RESOLUTION NO. 13.

*Resolved*, That the Secretary of State be requested to furnish 100 copies of the printed report of the railroad commissioners.

On motion of Mr. Watts, senate resolution No. 13 was adopted.

Mr. Fullerton introduced the following resolution:

#### SENATE RESOLUTION NO. 14.

*Resolved*, That the State Treasurer be directed to furnish the senate with a statement of the amount of moneys in his hands arising from the five per centum of the net proceeds of the sales of public lands of the United States lying within this State, or out of the sale of the swamp and overflowed lands.

On motion of Mr. Fullerton, senate resolution No. 14 was adopted.

Mr. Irvine introduced the following resolution:

#### SENATE RESOLUTION NO. 15.

WHEREAS, It is alleged that eastern capitalists are purchasing large tracts of timber lands belonging to the State of Oregon for \$1.25 per acre that are worth not less than \$5.00 per acre, and are holding the same for speculative purposes; therefore,

*Be it resolved*, That the committee on public lands be instructed to investigate this matter and to report, by bill or otherwise, such measures as may be necessary to protect the timber lands belonging to the State of Oregon.

On motion of Mr. Irvine, senate resolution No. 15 was adopted.

Mr. Tongue introduced the following resolution:

#### SENATE RESOLUTION NO. 16.

*Resolved*, That a committee of three be appointed by the President of the senate whose duty it shall be to investigate and report

to the senate what necessity existed for the change in text-books of common schools recently made in this State, the extent of such change, the expense that will be thereby entailed upon the citizens of this State, the means taken to procure such change and the names of the publishers of the text-books now in use in the common schools of the State, and for the names of the publishers of the books in the proposed change.

On motion of Mr. Cogswell, senate resolution No. 16 was adopted.

On motion of Mr. Stanley, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

THURSDAY, JANUARY 17, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 17, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called and all the Senators were present except Mr. Chamberlin, who was excused by the senate until next Monday, January 21st.

Prayer was offered by Rev. Rollins of Salem.

On motion of Mr. Carson, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Barin, the usual courtesies of the senate were extended to ex-Senator Reed of Clatsop county.

On motion of Mr. Hatch, the usual courtesies of the senate were extended to ex-Senator Lee of Polk county.

By unanimous consent, Mr. Steel introduced the following resolution:

SENATE CONCURRENT RESOLUTION NO. 7.

*Resolved by the Senate, the House concurring:*

That both houses of the legislative Assembly upon adjournment to-day, adjourn to 2 o'clock P. M. Monday, January 21, 1889.

On motion of Mr. Steel, senate concurrent resolution No. 7 was adopted.

Mr. Dawson asked leave of absence until next Monday at 2 o'clock P. M., which was granted.

On motion of Mr. Irvine, it was ordered that the senate adjourn at 10:30 this morning.

Mr. Cogswell introduced the following resolution :

SENATE RESOLUTION NO. 17.

*Resolved by the Senate :*

That the several committees of the senate be instructed and required in selecting their clerks, to give preference, in all cases, to honorably-discharged Union soldiers who are competent to perform the duties that may be required of them.

On motion of Mr. Cogswell, senate resolution No. 17 was adopted.

On motion of Mr. Carson, house concurrent resolution No. 12, relating to the authorization of the joint committees to examine into the affairs of the office of State Treasurer, Secretary of State and Fish Commissioners, to send for witnesses and papers necessary to perform their duties, and administer oaths, was taken from the table for further consideration.

On motion of Mr. Carson, house concurrent resolution No. 12 was concurred in.

PROPOSITIONS AND MOTIONS.

Mr. Tongue introduced the following resolution :

SENATE RESOLUTION NO. 18.

*Resolved,* That the ways and means committee of the senate be and hereby is instructed to ascertain and report whether Captain John Mullan now assumes to act as agent of the State of Oregon at Washington City. If so, by what authority. If in pursuance of any contract, where and by whom was the contract made on the part of the State, and what are the terms and duration of such contract.

On motion of Mr. Tongue, senate resolution No. 18 was adopted.

INTRODUCTION AND FIRST READING OF BILLS.

Mr. Moore introduced senate bill No. 47, being a bill for an Act to incorporate the town of St. Helens in Columbia county, Oregon.

Mr. Moore moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Eakin and Veatch—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without further question.

Mr. Steel introduced senate bill No. 48, being a bill for an Act entitled an Act relating to surveys authorized by the congress of the United States in the State of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Chandler introduced senate bill No. 49, being a bill for an Act to amend sections 5 and 13, and to repeal sections 10 and 11 of an Act entitled an Act to protect the stock growers within the State of Oregon and provide for the appointment of inspectors.

Mr. Chandler moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Raley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick introduced senate bill No. 50, being a bill for an Act for defraying the funeral expenses of indigent ex-Union soldiers, etc.

Mr. Dimick moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel,

Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Wager introduced senate bill No. 51, being a bill for an Act to amend an Act to incorporate the city of Weston, Umatilla county, Oregon.

The bill was read the first time and passed to a second reading without a question.

On request, Messrs. Irvine and Eakin were excused from further attendance to-day.

Mr. Watkins introduced senate bill No. 52, being a bill for an Act to amend sections 958 and 959, Hill's annotated code of Oregon, providing for number of jurors to be drawn in State courts.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Dawson, Eakin, Irvine and Veatch—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 53, being a bill for an Act to fix the time of holding courts in the second judicial district.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dawson, Irvine, Eakin and Veatch—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 17, 1889. )

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 7, concerning adjournment.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

Pursuant to the motion heretofore made by Mr. Irvine and duly carried, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

MONDAY, JANUARY 21, 1889.

## AFTERNOON SESSION.

SENATE CHAMBER, )  
SALEM, Oregon, )  
January 21, 1889. )

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called and all the Senators were present except Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch, all being excused by special request on account of failure in train connection on the Oregon & California railroad.

The journal of Thursday, January 17, was read and approved.

The President announced the appointment of the following committees :

On the joint committee pursuant to the provisions of house concurrent resolution No. 11, to visit and examine into the affairs of the school for deaf mutes, Messrs. Hilton and Irvine.

On the joint committee to examine into the affairs of the State university, pursuant to house concurrent resolution No. 9, Messrs. Carson and Raley.

On the committee to investigate the cause and expense of the change in school text-books, pursuant to senate resolution No. 16, Messrs. Tongue, Steel and Cauthorn.

Introduction and first reading of senate bills.

Mr. Watts introduced senate bill No. 54, being a bill for an Act to authorize the construction of a bridge across the Willamette river between Marion and Yamhill counties in the State of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Watts introduced senate bill No. 55, being a bill for an Act to authorize and empower Wm. Ball to construct, maintain and keep a boom or booms upon the North Yamhill river in Yamhill county, Oregon.

Mr. Watts moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Dimick, Eakin, Fullerton, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore introduced senate bill No. 56, being a bill for an Act to amend section 1794 of chapter III, title II, of the criminal code of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Moore introduced senate bill No. 57, being a bill for an Act to amend section 3101 of title III of chapter XXIII, miscellaneous laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Hilton introduced senate bill No. 58, being a bill for an Act to amend section 3351 and section 3353 of title I of chapter XXXVIII of the miscellaneous laws of Oregon.

Mr. Hilton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:



Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Dimick, Eakin, Fullerton, Looney, Stanley and Veatch—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell introduced senate bill No. 59, being a bill for an Act to provide for the construction of a wagon road from Paisley, Oregon, to the southern boundary of the State near Klamath river and to appropriate money therefor.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hilton introduced senate bill No. 60, being a bill for an Act entitled an Act to protect public highways.

Mr. Hilton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Irvine introduced senate bill No. 61, being a bill for an Act

to protect contractors, sub-contractors and laborers in their claims against railroad companies or corporations, contractors or sub-contractors.

Mr. Irvine moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell introduced senate bill No. 62, being a bill for an Act to authorize C. S. and R. S. Moore to construct, maintain, operate and keep a boom upon Link river in Klamath county, State of Oregon.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Irvine, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Wager, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Hilton, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hamilton introduced senate bill No. 63, being a bill for an Act to provide the improvement of a wagon road from the town of Heppner in Morrow county, Oregon, to the town of Monument in Grant county, Oregon, and to appropriate money therefor.

Mr. Hamilton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawsson, Eakin, Fullerton, Looney, Stanley, Tongue and Veatch—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair introduced senate bill No. 64, being a bill for an Act to authorize Coos county, Oregon, to construct and maintain certain bridges.

The bill was read the first time and passed to a second reading without a question.

Mr. Sinclair introduced senate bill No. 65, being a bill for an Act appropriating money and to reimburse I. Hacker of Coos county, Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Raley introduced senate bill No. 66, being a bill for an Act to amend an Act to incorporate the town of Weston.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley, and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without a question.

Mr. Cogswell introduced senate bill No. 67, being a bill for an Act to amend sections 3239, 3240, 3241, and 3242 of title II of chapter XXXII of the miscellaneous laws, compiled by W. Lair Hill.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Mackay introduced senate bill No. 68, being a bill for an Act for the protection of birds within the State of Oregon.

Mr. Mackay moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 13, providing a joint committee on joint rules consisting of three from the house and two from the senate, and the chair has named as the committee on the part of the house, Messrs. Miller of Jackson, Northup and Condon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 13 accompanying the foregoing message, was read, and on motion of Mr. Gray, adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 17, 1889. }

*Mr. President:*

I am directed by the speaker to inform you that the house has

concurred in senate joint memorial No. 2, relating to pay of Union soldiers.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

Mr. Watkins introduced senate bill No. 69, being a bill for an Act to amend sections 1, 2, 4, 5, 6, and 8 and to repeal section 9 of an Act entitled an Act to authorize Dalles City to incur an indebtedness of \$50,000, etc.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watkins introduced senate bill No. 70, being a bill for an Act to amend section 3 of an Act entitled an Act to enable Dalles City to sell and dispose of certain lands.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dawson, Eakin, Fullerton, Looney, Stanley, and Veatch—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Chamberlin introduced senate bill No. 71, being a bill for an Act to establish a reform school for juvenile offenders.

Mr. Chamberlin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hatch introduced senate bill No. 72, being a bill for an Act to prevent cattle from running at large on the public highways in certain counties of this State.

Mr. Hatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell introduced the following resolution:

#### SENATE RESOLUTION NO. 19.

*Resolved*, That a committee of three be appointed by the President to segregate and recommend the proper reference of the Governor's message to the several committees of the senate.

On motion of Mr. Cogswell, senate resolution No. 19 was adopted.

On motion of Mr. Dimick, the courtesies of the senate were extended to ex-Senator Voorhees of Marion county.

#### SECOND READING OF SENATE BILLS.

Senate bill No. 1 was read a second time, and on motion of Mr. Chamberlain, referred to the committee on corporations.

Senate bill No. 2 coming on for a second reading, Mr. Wager moved that the rules be suspended and that the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chamberlin, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chandler, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager, referred to the committee on judiciary.

Senate bill No. 3 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Gray, Looney, Stanley and Veatch—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Sinclair, referred to the committee on agriculture.

Senate bill No. 4 was read a second time, and on motion of Mr. Hatch, referred to the committee on elections.

Senate bill No. 5 coming on for a second reading, Mr. Irvine moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Looney, Sinclair, Stanley and Veatch—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Irvine, referred to the committee on corporations.



Senate bill No. 6 was read a second time, and on motion of Mr. Watts, referred to the committee on claims.

Senate bill No. 7 was read a second time, and on motion of Mr. Irvine, referred to the committee on assessments.

Senate bill No. 8 was read a second time, and on motion of Mr. Wager, referred to the committee on judiciary.

Senate bill No. 9 was read a second time, and on motion of Mr. Gray, referred to the committee on counties.

Senate bill No. 10 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager, referred to the committee on judiciary.

Senate bill No. 11 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Raley, referred to the committee on corporations.

Senate bill No. 12 was read a second time, and on motion of Mr. Chamberlin, referred to the committee on judiciary.

Senate bill No. 13 was read a second time, and on motion of Mr. Irvine, referred to the committee on judiciary.

Senate bill No. 14 coming on for a second reading, Mr. Raley



moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—7.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Raley, referred to the committee on corporations.

Senate bill No. 15 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Dawson, Eakin, Fullerton, Hatch, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read second time by title, and on motion of Mr. Gray, referred to the committee on corporations.

Senate bill No. 16 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Hatch, Looney, Stanley and Veatch—9.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to the committee on ways and means.

Senate bill No. 17 coming on for a second reading, Mr. Carson

moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—9.

So the rules were suspended and the bill was read the second time by title, and on motion of Mr. Carson, referred to a select committee consisting of the Senators from Multnomah county.

Senate bill No. 18 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Eakin, Fullerton, Looney, Stanley and Veatch—8.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin, referred to the committee on education.

On motion of Mr. Carson, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

TUESDAY, JANUARY 22, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called and all the Senators were present.  
Prayer was offered by Rev. Parker of Independence.  
The journal of yesterday was read and approved.

#### VOTING FOR UNITED STATES SENATOR.

Mr. Steel moved that the senate now proceed to vote for United States Senator, for the term of six years from the fourth of March, 1889, in accordance with the Act of congress, approved July 25, 1866, which motion prevailed.

The President then stated that nominations for United States Senator from the State of Oregon would now be in order.

Mr. Barin placed in nomination Hon. J. N. Dolph.

Mr. Wager nominated Hon. Sylvester Pennoyer.

There being no further nominations, the senate proceeded to vote for United States Senator, with the following result:

Those voting for Hon. J. N. Dolph were:

Messrs. Barin, Carson, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—21.

Those voting for Hon. Sylvester Pennoyer were:

Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Stanley, Veatch and Wager—9.

Hon. J. N. Dolph having received a majority of all the votes cast, the President declared him to be the choice of the senate for United States Senator from the State of Oregon, for the term of six years from the 4th of March, 1889.

The President announced the appointment of the following committees:

On the joint committee to report joint rules for the government of both houses of the legislature, pursuant to house concurrent resolution No. 13, Messrs. Dawson and Sinclair.

On the committee to segregate and refer to different standing committees the various parts of the Governor's message, pursuant to senate resolution No. 19, Messrs. Cogswell, Watts and Norval.

The President laid before the senate a communication from Hon. John Mullan, which was read, as follows:

JOHN MULLAN,

ATTORNEY AND COUNSELLOR AT LAW,

STATE AGENT FOR CALIFORNIA, OREGON AND NEVADA.  
ALSO AGENT FOR WASHINGTON TERRITORY.WASHINGTON, D. C.,  
January 3, 1889.*Hon. Presiding Officer State Senate, Salem, Oregon—*

SIR: I have the honor to enclose you herewith a petition and copy of U. S. senate Ex. Doc. No. 18, which I respectfully request you will submit to the senate for its consideration and action thereon.

Very respectfully,

JOHN MULLAN,

Counsel and agent for the State of Oregon.

Accompanying the foregoing letter, came the following letter from the secretary of the U. S. treasury:

50TH CONGRESS, }  
2d Session. }

SENATE.

{ Ex. Doc.  
No. 18.

LETTER

FROM

THE SECRETARY OF THE TREASURY,

TRANSMITTING,

*In response to Senate resolution of December 6, 1888, report of the settlements on account of Modoc hostilities.*

DECEMBER 17, 1888.—Laid on the table and ordered to be printed.

TREASURY DEPARTMENT,  
December 14, 1888.

SIR: In compliance with the resolution of the Senate of the 6th instant, for certified copies of the settlements made between the United States and the State of Oregon, on account of Modoc Indian war hostilities therein, and on account of her quota of direct tax, I have the honor to inclose such copies as prepared in the offices of the third auditor and first comptroller.

Respectfully, yours,

C. S. FAIRCHILD,  
Secretary.The PRESIDENT PRO TEMPORE,  
U. S. Senate.

TREASURY DEPARTMENT,  
FIRST COMPTROLLER'S OFFICE,  
WASHINGTON, D. C., December 10, 1888.

SIR: Referring to your reference of the 7th instant to this office of a copy of Senate resolution of the 6th instant, requiring copies of papers pertaining to the settlement of the direct-tax account of the State of Oregon, I have the honor to transmit herewith certified copies of all the papers specified in the resolution, except the account to re-imburse the State for expenses in suppressing Modoc Indian hostilities, which is in the custody of the third auditor.

The direct-tax quota of the State of Oregon was \$35,140.67. There was credited on the direct-tax quota, from the 5 per cent net proceeds of sales of public lands within said State, the sum of \$1,891.60, and from the appropriation to re-imburse the State on account of Modoc Indian hostilities, \$33,249.07. Total credited, \$35,140.67.

The State has been re-imbursed 15 per cent (viz., \$5,271.10) of the above amounts that were withheld from the State and applied in settlement of her direct-tax quota.

Very respectfully,

M. J. DURHAM,  
Comptroller.  
By J. R. GARRISON,  
Deputy Comptroller.

Hon. C. S. FAIRCHILD,  
Secretary of the Treasury.

[Office of the Register of the Treasury. Form 1a.]

TRANSCRIPT CERTIFICATE.

TREASURY DEPARTMENT, REGISTER'S OFFICE,  
WASHINGTON, D. C., December 10, 1888.

Pursuant to section 882 of the Revised Statutes of the United States, I, W. S. Rosecrans, Register of the Treasury Department, do hereby certify that the annexed is a transcript from the books and proceedings of the Treasury Department, and true copies of the originals on file in the case of State of Oregon, on account of direct tax under act August 5, 1861.

W. S. ROSECRANS,  
Register.

Be it remembered, that W. S. Rosccrans, esq., who certified the annexed transcript, is now, and was at the time of doing so, Register of the Treasury of the United States, and that full faith and credit are due to his official attestations.

In testimony whereof, I, Charles S. Fairchild, Secretary of the Treasury of the United States, have hereunto subscribed my name and caused to be affixed the seal of this Department, at the city of Washington, this 10th day of December, in the year of our Lord 1888.

[SEAL.]

C. S. FAIRCHILD,  
Secretary of the Treasury.

STATE OF OREGON.

Report No. 32148.]

DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
May 14, 1881.

SIR: I have examined and adjusted an account between the United States and the State of Oregon, under the fourth section of the act of Congress approved February 14, 1859, and section 3689, United States Revised Statutes, for the 5 per cent accruing to the latter upon the net proceeds of the sales during the fiscal year ending June 30, 1880, of the public lands within her limits, and find that said State is chargeable as follows, viz.:

Warrant on the Treasurer.

To amount of warrant No. 370, dated March 30, 1880, per certificate of the Register of the Treasury herewith -----	\$1,762 54
--	------------

I also find that the State of Oregon is entitled to credit on said account, viz.:

By balance due her June 30, 1879, per report No. 30982-----	\$1,762 54
By amount of 5 per cent on \$37,832 02, the net proceeds of sales of public lands in Oregon from July 1, 1879, to June 30, 1880, inclusive -----	1,891 60
	3,654 14

Balance due the State of Oregon June 30, 1880-- 1,891 60  
as will appear from the annexed statement and certificates from the Register of the Treasury herewith submitted.

J. A. WILLIAMSON,  
Commissioner.

Hon. WILLIAM LAWRENCE,  
First Comptroller of the Treasury.

\$1,891.60.

TREASURY DEPARTMENT, COMPTROLLER'S OFFICE,  
November 16, 1881.

I admit and certify the above balance of \$1,891.60 to be paid to the United States Treasurer, to be by him deposited to the credit of the State of Oregon on account of "Direct Tax," as provided by section 8, act of August 5, 1861, United States Statutes 12, page 292. Pay in accordance with section 3689, Revised Statutes, "Five per centum fund to States." The State to be charged with the amount.

WM. LAWRENCE,  
Comptroller.

W. L.

To the REGISTER.

Draft on Interior Civil.  
No. B. 8857.  
P. M. H. B. H.

Warrant No. 1883.  
TREASURY OF THE UNITED STATES,  
WASHINGTON, D. C., Nov. 29, 1881.

Pay to the order of Tr. U. S., to be by him dep. to cr. of the State of Oregon on ac. of Direct Tax. Act Aug. 5, 1861,  
Eighteen hundred ninety-one and 60-100 dollars.  
Registered Nov. 29, 1881.

M. R. H.

W. P. TITCOMB,  
Assistant Register of the Treasury.  
JAS. GILFILLAN,  
Treasurer of the United States.

TO TREASURER U. S.,  
Washington, D. C.

\$1,891.60.

(In red ink across the face:) Paid Dec. 1, 1881, Treasurer's Office.

(On the back:) Deposited as within directed, A. U. Wyman, Asst. Treasurer, U. S.

REVENUE COVERING WARRANT.

Treasury Department.

To State of Oregon: Pay to the Treasurer of the United States, or order, out of the moneys received by you arising from miscellaneous sources, in pursuance of law, one thousand eight hundred and ninety-one dollars and sixty cents, direct tax acts Aug.

5, 1861, and June 7, 1862, and for so doing this shall be your warrant.

No. 1835, 4 Quarter, 1881.

\$1,891.60.

Deposited with the Treasurer U. S. Dec. 1, 1881, as per statement hereto attached.

Given under my hand and the seal of the Treasury Department this 31 day of December, in the year of our Lord one thousand eight hundred and eighty-one, and of Independence the one hundred and sixth.

H. F. FRENCH,  
Assistant Secretary.

Feb'y 25, 1882.

Countersigned: Mch. 15.

J. TARBELL,  
Act'g First Comptroller.

C. M. L. Registered: 17.

W. P. TITCOMB,  
Asst. Register.

OFFICE OF THE TREASURER OF THE UNITED STATES.  
Received Mch. 24th, 1882.

A. U. WYMAN,  
A. Treasurer.

A true copy of the original.  
Register's office.

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REPORT ON MISCELLANEOUS INTERNAL REVENUE ACCOUNTS.

No. 43330.]

TREASURY DEPARTMENT,  
FIFTH AUDITOR'S OFFICE,  
July 18, 1884.

I hereby certify that I have examined and adjusted an account between the United States and the State of Oregon, and find that the sum of five thousand two hundred and seventy-one and 10-100 dollars is due to said State from the United States, as follows, viz.: For cost of assuming the collection of her quota of the direct tax under Act Aug. 5, 1861, 15 per cent of \$35,140.67.

Payable to the State of Oregon.

Pay out of the appropriation to supply deficiencies for fiscal year 1884 and for prior years, appd. July 7, 1884, as appears from state-



ment and vouchers herewith transmitted for decision of the First Comptroller of the Treasury thereon.

\$5,271.10.

D. S. ALEXANDER,  
Auditor.

V. N. S.

To the FIRST COMPTROLLER OF THE TREASURY.

\$5,271.10.

TREASURY DEPARTMENT,  
FIRST COMPTROLLER'S OFFICE,  
September 6th, 1884.

I admit and certify that a balance of five thousand two hundred and seventy-one and 10-100 dollars is due and payable as stated in the above report to the governor of the State of Oregon.

Draft to Salem, Oregon. No personal entry required. Draft on Portland, Oregon.

WM. LAWRENCE,  
First Comptroller.  
By Z. M. LAWRENCE,  
Acting Deputy First Comptroller.  
S. C. C.

To the REGISTER OF THE TREASURY.

Draft on Treasury.

Warrant No. 2735.

No. B, 26389.

H. K. M.

TREASURY OF THE UNITED STATES,  
WASHINGTON, D. C., Sept. 19, 1884.

Pay to the order of The Governor of the State of Oregon, five thousand two hundred seventy-one 10-100 dollars.

W. P. TITCOMB,  
Act. Register of the Treasury.  
E. O. GRAVES,

\$5,271.10.

Asst. Treasurer of the United States.

Registered Sept. 19, 1884.

To First Nat. Bank, Portland, Oreg.

(In red ink across the face:) Paid Oct. 7, 1884. Portland, Oregon.

(On the back:) Pay to Edward Hirsch, treasurer. Z. F. Moody, The Governor of the State of Oregon. Edward Hirsch, treasurer. Pay Ladd & Tilton, or order for collection. Account of Ladd & Bush, Salem, Oreg. Ladd and Bush, Ladd & Tilton. Treasurer of the U. S. credit the First Nat'l Bank of Portland, Oregon, in general account. G. E. Wethington, C. Ladd & Bush, bankers, Oct. 7, 1884, Receiving Teller.

[Office of the Register of the Treasury. Form 1.]

TRANSCRIPT CERTIFICATE.

TREASURY DEPARTMENT, REGISTER'S OFFICE,  
WASHINGTON, D. C., Dec. 11, 1888.

Pursuant to section 886 of the Revised Statutes of the United States, I, W. S. Rosecrans, Register of the Treasury Department, do hereby certify that the annexed are true copies of Treasury drafts Nos. 25, 120-21, issued on settlement warrant No. 908, 1st quarter of 1883, payable to the order of Zenas F. Moody, governor of Oregon.

W. S. ROSECRANS,  
Register.

Be it remembered that W. S. Rosecrans, esq., who certified the annexed transcript, is now, and was at the time of doing so, Register of the Treasury of the United States, and that full faith and credit are due to his official attestation.

In testimony whereof, I, Charles S. Fairchild, Secretary of the Treasury of the United States, have hereunto subscribed my name and caused to be affixed the seal of this Department, at the city of Washington, this 11th day of December, in the year of our Lord 1888.

[SEAL.]

C. S. FAIRCHILD,  
Secretary of the Treasury.

Draft on War.  
No. 25120.  
L. K. H.

Warrant No. 908 p t.  
TREASURY OF THE UNITED STATES,  
WASHINGTON, D. C., Mch. 7, 1883.

Pay to the order of Zenas F. Moody, governor, sixty-three thousand two hundred and forty-one 28-100 dollars.

W. P. TITCOMB,  
Asst. Register of the Treasury.  
JAS. GILFILLAN,  
Treasurer of the United States.

Registered Mch. 7, 1883.

To Asst. Treasurer U. S. (w) San Francisco, Cal.

\$63,241.28.

(Across the face in red ink:) Treasury U. S., March 9, 1883.  
Pay to the Treasurer U. S. for account of Zenas F. Moody, governor, \$33,249.07 of the amount to be deposited in the Treasury of the United States on account of direct tax, due from the State of Oregon as per certificate of the Register herewith, the balance to be remitted to Governor Moody as per corrected warrant of the

Secretary of the Treasury of March 7, 1883. Jas. Gilfillan, Treasurer U. S. Paid Mar. 9, 1883. Treasurer's Office. D. W. H.

(On the back:) Paid by certificate of deposit No. 28128, \$33,249.07. Paid c'k on San Francisco, to order Zenas F. Moody, gov'r., No. 5021, \$29,992.21; total, \$63,241.28. Jas. Gilfillan, Treasurer U. S.

Draft on War.

Warrant No. 908 p t.

No. 25121.

TREASURY OF THE UNITED STATES,

L. K. H.

WASHINGTON, D. C., Mch. 7, 1883.

Pay to the order of Zenas F. Moody, governor, seven thousand and twenty-six 80-100 dollars.

W. P. TITCOMB,

Asst. Register of the Treasury.

JAS. GILFILLAN,

Treasurer of the United States.

Registered Mch. 7, 1883.

To Asst. Treasurer U. S., (w) New York, N. Y.

\$7,026.80.

(Across the face in red ink:) Treasury U. S., March 9, 1883. This draft is changed to read: Pay to the Treasurer U. S. for account of Zenas F. Moody, governor, as per corrected warrant of the Secretary of the Treasury of March 7th, 1883. Jas. Gilfillan, Treasurer U. S. D. W. H. (Paid May 9, 1883. New York.)

(On the back:) Pay to the order of Zenas F. Moody, governor. Jas. Gilfillan, Treasurer U. S., Mar. 8, '83. D. W. H. Zenas F. Moody, governor; Edward Hirsch, State treasurer. Pay to the order of, for collection and credit of Ladd and Bush, the National Park Bank. Per E. D. Miles, attorney.

UNITED STATES OF AMERICA,

TREASURY DEPARTMENT,

December 12, 1888.

Pursuant to section 882 of the Revised Statutes, I hereby certify that the annexed paper is a true copy of one on file in this Department.

In witness whereof, I have hereunto set my hand and caused the seal of the Treasury Department to be affixed, on the day and year first above written.

[SEAL.]

C. S. FAIRCHILD,  
Secretary of the Treasury.

No. 7511.

TREASURY DEPARTMENT,  
THIRD AUDITOR'S OFFICE,  
February 27, 1883.

I certify that I have examined and adjusted the account of the war claim of the State of Oregon and find her chargeable with not anything, but entitled to credit as follows:

Date.	Original settlement of first installment.	Under act "reimbursing the State of Oregon for expenses in suppressing Modoc Indian hostilities," approved Jan. 6, 1883.
	By general account of moneys advanced: For this sum, being amount allowed as appropriated by Congress in full for moneys paid by said State in suppressing Modoc Indian hostilities during the Modoc war in 1872 and 1873-----	\$70,268.08
	Due the State-----	70,268.08

For which sum, found due the State, a requisition for \$70,268.08 will be issued in her favor to be sent to the Treasury, and the amount remitted to his excellency, Zenas F. Moody, governor of said State, Salem, Oregon, by the hand of Capt. John Mullan, agent for said State—present, as appears from the statements and vouchers herewith transmitted for the decision of the Second Comptroller of the Treasury thereon.

E. W. KEIGHTLY,  
Auditor.

To W. W. UPTON,  
Second Comptroller of the Treasury.

SECOND COMPTROLLER'S OFFICE.

I admit and certify the above balance, this 5th day of March, 1883.

JAS S. DELANO,  
Act'g Second Comptroller.

The letter of Hon. John Mullan was also accompanied by the following petition, which was read :

JOHN MULLAN,  
ATTORNEY AND COUNSELLOR AT LAW,

STATE AGENT FOR CALIFORNIA, OREGON AND NEVADA.  
ALSO AGENT FOR WASHINGTON TERRITORY.

WASHINGTON CITY, D. C.,  
January 3, 1889.

PETITION.

*To the Legislative Assembly of the State of Oregon :*

Your petitioner, John Mullan, now residing in Washington City, District of Columbia, would respectfully show to the honorable legislative assembly of the State of Oregon, that, while heretofore he has requested the Governor and Secretary of State to invite your attention to his claim against the State of Oregon, yet he deems it not improper that for your information he should also state specifically the details thereof and how the same arose.

The claim of your petitioner consists of four items as follows, to-wit:

Item No. 1.	For payment of 10 per cent of \$70,268.08 collected from the United States by your petitioner, the same being moneys expended by the State of Oregon in suppressing Modoc Indian hostilities during the Modoc Indian war in 1872 and 1873-----	\$7,026 80
	Amount brought forward -----	\$7,026 80
Item No. 2.	For payment of 10 per cent of \$5,271.10 collected by your petitioner from the United States, the same being 15 per cent of \$35,140.67, the cost of the assumption and collection by the State of Oregon of her quota of the direct war tax levied under the act of congress of August 5, 1861-----	527 11
Item No. 3.	For payment for securing the approval and certification by the United States to the State of Oregon between January 1, 1885, and April 1, 1887, of 11,824.44 acres of State school lands at 1 cent per acre-----	118 22

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Item No. 4. For payment of compensation as counsel  
for the State of Oregon in land cases and in  
land contests in which the State of Oregon  
was a party for 27 months, from January 1,  
1885, to April 1, 1887, at \$1,000 per year-- 2,250 00

---

Making a total aggregate of----- \$9,922 13

No portion of any of which has ever heretofore been paid by  
the State of Oregon to your petitioner.

#### FIRST.

For the purpose of laying before you a full and intelligent statement of items Nos. 1 and 2 of the foregoing recitals, your petitioner encloses you herewith and makes a part hereof a copy of senate Ex. Doc. No. 18, 50th congress, 2d session, same being a letter addressed on December 14, 1888, to the senate by the Hon. secretary of the treasury in response to a senate resolution of inquiry in reference to the two settlements therein recited as theretofore had between the United States and the State of Oregon, through me as her agent, and which information was called for by Senator Mitchell, at the suggestion and request of your petitioner.

Item No. 1, or the Modoc Indian war settlement, is set forth on page 6 of said senate Ex. Doc., No. 18.

At and prior to the date of this settlement, although the State of Oregon had assumed the collection and payment of the whole of her quota, \$35,140.67 of the direct war tax levied under the act of congress of August 5, 1861, yet she had not voluntarily paid any portion whatsoever thereof up to March, 1882. But as soon and as fast as it was found that the United States owed the State of Oregon any moneys from any sources, the amount of such moneys, instead of being paid by the United States in cash to the State of Oregon, were simply entered up on the books of the treasury department as *pro tanto* credits on her said delinquent direct war tax account, and the moneys representing such credits were covered back into the treasury of the United States.

This system of book-keeping was first inaugurated by the United States treasury in the case of the State of Oregon, by treating her earnings arising from the net proceeds of the cash sales of the public lands made by the United States in Oregon as so many set-offs *pro tanto* to her said delinquent direct war tax account.

As soon as the Governor of Oregon, Hon. W. W. Thayer, learned that the officers of the United States treasury department, instead

of paying him, in cash for the State, her quota of earnings of said net proceeds of the cash sales of the public lands made in Oregon by the United States, were simply using said moneys as credits *pro tanto* on Oregon's delinquent direct war tax account, he directed your petitioner to investigate this matter, and to interview the proper United States officials, and to protest against any such system of adjusting said accounts, and to do all else that was proper to be done in these premises.

Protests were duly made by your petitioner to Hon. William Lawrence, then first comptroller of the United States treasury, charged by law with the control of this class of claims and assets. But these protests were without avail, and because it seemed that the rule so adopted in the case of the State of Oregon was similar in all respects to that adopted by the treasury officials and by them applied when adjusting similar claims of other States under similar circumstances whenever any State was delinquent on account of said direct war tax debt.

In the name of the State of Oregon your petitioner then demanded that Oregon should be refunded or at least credited with a rebate of 15 per cent of whatever payments were so credited on said delinquent direct war tax account, as an equivalent under said act of congress of August 5, 1861, for assuming the collection and payment of her quota of said tax.

But the reply of First Comptroller Lawrence was to the effect that the time within which the United States treasury officials were permitted to credit this rebate of 15 per cent or pay the same under said act of congress had passed, and that Oregon should look to congress; which alone could afford the adequate and proper relief in these premises.

By following this system of adjusting accounts, adopted by the United States in this class of claims, of crediting on said direct war tax account all sums of money that the State of Oregon had earned, arising from the net proceeds of the cash sales of the public lands made by the United States in Oregon, and using the same as set-offs, said direct war tax debt of \$35,140.67 had thereby been diminished in 1882 in the sum of \$1,891.60, and left the amount then due by the State of Oregon to the United States on account of said direct war tax the sum of \$33,249.07.

When, therefore, your petitioner, in 1883, had secured a final adjustment of the Modoc Indian war claim, in the sum of \$70,268.08, the United States treasurer issued two drafts in payment thereof, one of which was for the sum of \$7,026.80 (same being 10 per cent of said \$70,268.08, due your petitioner as his 10 per cent commission

for collecting the same under his appointment from the State of Oregon), and the other for the sum of \$63,241.28.

But First Comptroller Lawrence, instead of delivering said two drafts so drawn, did temporarily withhold both of the same and did direct that the sum of \$33,249.07, the balance then stated to be still due the United States by the State of Oregon on account of said delinquent direct war tax should be deducted from the larger of said two drafts, which, when done, left the sum of \$29,992.21 as the true balance then due the State of Oregon by the United States in the opinion of the United States treasury department, and for which last-named sum the United States treasurer duly issued his draft in favor of the Governor of Oregon, and which draft for \$29,922.21 and said draft for \$7,026.80 were then duly delivered to your petitioner and by him duly transmitted to Hon. Z. F. Moody, Governor of Oregon, with the request that said Governor should pay your petitioner his said fee with the smaller draft of \$7,026.80. But Governor Moody, as he at the time duly informed your petitioner, believing that it was his duty to deposit both of said two drafts in the State treasury, and let the legislative assembly of the State of Oregon thereafter make an appropriation in its regular and usual way, with which to pay your petitioner his said fee, did deposit both of said two drafts in the State treasury where the proceeds thereof were duly placed to the credit of the general fund. (See statement on pages 4 and 5 of said senate Ex. Doc. No. 18.)

#### SECOND.

Being thus convinced that the only method left to your petitioner to secure a rebate of said 15 per cent of \$35,140.67 (Oregon's quota of said direct war tax) was by relief from congress, and proceeding under the authority conferred upon your petitioner to collect all claims of that class due to the State of Oregon by the United States, and though the matter of Oregon's right to this 15 per cent rebate had been permitted to slumber for about 22 years, and though the State of Oregon did not actually pay, until 1883, the debt of her direct war tax which she had been expected to pay in 1862, and which debt her legislative assembly by Act had assumed to pay, and that, too, in gold coin at a date when one dollar in gold was worth about two dollars in legal-tender notes, your petitioner, nevertheless, undertook to recover for the State of Oregon as late as 1883, as a matter of equity if not of law, a rebate of 15 per cent of her said quota of \$35,140.67 of said direct war tax. The full amount of this rebate was in due time secured by your petitioner and fully paid by the United States, to-wit: The sum of \$5,271.10 (see page 4 of said



senate Ex. Doc. No. 18) by draft duly issued for said sum, made payable to the Governor of Oregon and delivered to your petitioner, and by him delivered to Hon. Z. F. Moody, Governor of Oregon, who in this case took the same view as to the payment of your petitioner's fee of 10 per cent thereof as he had taken in his collection of said Modoc Indian war claim.

So that the aforesaid two collections of money made by your petitioner for the State of Oregon, aggregating \$75,539.18, were duly reported by him to the State officials of Oregon, but no portion of his fee of 10 per cent thereof, to-wit, \$7,553.91, has ever yet been paid to him.

These matters were duly brought to the attention of the legislative assembly of Oregon in 1885 and again in 1887, but the legislature adjourned in each of said years without making any appropriation with which to pay the same. The State of Oregon has had the full use and benefit of all said sums, the same having been used as follows, to-wit:

First.	To pay off and cancel the old direct war tax debt due by the State of Oregon to the United States, in the sum of-----	\$33,249.07
Second.	There was paid to her in cash and placed in her general fund the sum of-----	29,922.21
Third.	Paid also in cash and placed in her general fund the sum of-----	7,026.80
Fourth.	Paid also in cash and placed in her general fund the sum of-----	5,271.10

Making a total aggregate of collections as aforesaid of---- \$75,469.18

Items 3 and 4 are due your petitioner under an agreement made with him by the Governor of Oregon, Hon. W. W. Thayer, and for which no appropriation has ever heretofore been made by the legislative assembly of Oregon with which to pay the same.

As the State of Oregon has always dealt equitably with those having legal or valid claims against her, it would seem to your petitioner to be only equitable when your honorable body makes an appropriation with which to pay this claim, as herein set forth, that *interest* thereon should be allowed from the date when said claims were due and payable up to the date of the full payment of the principal thereof.

Wherefore your petitioner, having fully and faithfully performed every act and thing necessary to be done by him in order to secure these results, as in this petition set forth, and not having received any compensation therefor, and having long been deprived of the

whole thereof, he now prays the legislative assembly of the State of Oregon that all the matters herein set forth may have the consideration of its members, and that an appropriation with which to pay said claim *with interest* may be made during its session, to be convened at Salem, Oregon, on January 14, 1889.

Respectfully,

JOHN MULLAN,

Agent for the State of Oregon, Petitioner.

Mr. Tongue moved to refer the foregoing communication and accompanying papers to a special committee of three.

Mr. Veatch moved to lay the same on the table.

On this question the ayes and noes were called for by Messrs. Cogswell, Veatch and Stanley.

The roll being called the vote was:

Those voting aye were:

Messrs. Cauthorn, Cogswell, Dawson, Irvine, Raley, Stanley, Veatch, Wager, Wait, and Watts—10.

Those voting no were:

Messrs. Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Watkins, and Mr. President—19.

Absent—Mr. Barin.

So the motion to lay on the table was declared lost.

The question now recurring on the original motion to refer to a special committee, Mr. Chandler moved to amend by referring the matter to the committee on claims, which amendment was accepted by Mr. Tongue, and a vote being taken the motion prevailed.

So the entire matter presented by Hon. John Mullan's communication was referred to the committee on claims.

## SECOND READING OF SENATE BILLS.

Senate bill No. 19 coming on for a second reading, Mr. Wager moved that that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the second time by title, and on motion of Mr. Wager, referred to the committee on elections.

Senate bill No. 20 was read a second time, and on motion of Mr. Dawson, referred to the committee on judiciary.

Senate bill No. 21 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Raley, referred to the committee on commerce.

Senate bill No. 22 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read second time by title, and on motion of Mr. Dimick, referred to the committee on agriculture.

Senate bill No. 23 coming on for a second reading, Mr. Norval moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley,

Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Norval, referred to the committee on assessment.

Senate bill No. 24 was read a second time, and on motion of Mr. Watkins, referred to the committee on judiciary.

Senate bill No. 25 was read a second time, and on motion of Mr. Watkins, referred to the committee on judiciary.

Senate bill No. 26 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chamberlin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray, referred to the committee on commerce.

Senate bill No. 27 was read a second time, and on motion of Mr. Watts, referred to the committee on education.

Senate bill No. 28 coming on for a second reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chamberlin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dawson, referred to the committee on public buildings.

Senate bill No. 29 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Watkins, referred to the committee on judiciary.

Senate bill No. 30 was read a second time, and Mr. Cogswell moved that the bill be engrossed and read the third time tomorrow.

Mr. Eakin moved to refer the bill to the committee on counties, which motion prevailed, and the bill was so referred.

Senate bill No. 31 was read a second time, and on motion of Mr. Cogswell, referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 3, relating to the placing of Robert Williams, ordnance sergeant, upon the retired list of enlisted men of the army with seventy-five per cent of his present pay and allowance as sergeant of ordnance.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 3 accompanying the foregoing message was read, and on motion of Mr. Dimick, referred to the committee on military affairs.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial 4, relating to the surveying of lands in Oregon not yet surveyed, and praying congress to provide for such work.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 4 accompanying the foregoing message was read, and on motion of Mr. Gray, referred to the committee on federal relations.

Senate bill No. 32 coming on for a second reading, Mr. Hatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Tongue—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on education.

Senate bill No. 33 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time

by title, and on motion of Mr. Fullerton, referred to the committee on roads and highways.

Senate bill No. 34 coming on for a second reading, Mr. Irvine moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and Mr. Dawson moved that the rules be further suspended and senate bill No. 34 be considered engrossed and read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Gray and Veatch—3.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill No. 35 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cauthorn—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Fullerton, referred to the committee on corporations.

Senate bill No. 36 was read a second time, and on motion of Mr. Steel, referred to a special committee composed of the Senators from Multnomah county.

Senate bill No. 37 was read a second time, and on motion of Mr. Tongue, referred to the committee on judiciary.

On motion of Mr. Fullerton, the senate adjourned.

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#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called and all the Senators present except Mr. Chamberlin.

The President presented the following communication from the Oregon pioneer association:

PORTLAND, Oregon, January 19, 1889.

*Hon. Joseph Simon, President of the Senate, Salem, Oregon—*

DEAR SIR: At the annual reunion of the Oregon pioneer association held in this city in 1887, the citizens of Portland presented a fine oil painting of Dr. John McLoughlin to the association. (For particulars see pamphlets herewith sent, entitled "Transactions for 1886 and 1887.") In view of the great kindness and generosity of the "good old Doctor" to the early settlers of this State, many of whom still live to bear witness to these facts, the association has deemed it fitting to present this painting to the State, so that it may find a permanent place in the legislative halls, and thereby be a constant reminder to all of the noble-hearted man who, while not an American, was more than any other one person a benefactor to the early pioneers of Oregon, and in so doing deservedly honor his memory. With this end in view, the board of directors—Joseph Watt, president, Amity; W. S. Ladd, vice-president, Portland; Geo.



H. Himes, secretary, Portland; John M. Bacon, treasurer, Oregon City; F. X. Matthieu, Marion county; Wm. Elliot, Clackamas county; Wm. Savage, Polk county—at a meeting duly called on October 18, 1888, appointed Hon. John Minto of Marion county to formally present the painting to the State, at such time as may be deemed wise by yourself or the legislative body over whom you preside. A letter of like tenor with this, of even date, has been addressed to Hon. E. L. Smith, Speaker of the house; also, Mr. Minto has been advised of his appointment. Owing to my inability to be present at Salem during the session of the legislature, I have deputized Hon. Geo. W. McBride, Secretary of State, to act for me in all needed ways in the premises, who, with Mr. Minto, will consult with you and Mr. Smith as to the most appropriate time for the presentation.

With respect, I remain,

Very truly yours,

GEO. H. HIMES,  
Secretary of the Oregon Pioneer Association.

Mr. Chamberlin moved that a committee of one be appointed to confer with a like committee from the house to meet and make necessary arrangements for the time and place for the acceptance of the oil painting mentioned in the foregoing communication.

Which motion prevailed.

The President appointed as such committee Mr. Chamberlin on the part of the senate.

Senate bill No. 38 was read a second time, and on motion of Mr. Dawson, referred to the committee on education.

Senate bill No. 39 was read a second time, and on motion of Mr. Wager, referred to the committee on roads and highways.

Senate bill No. 40 was read a second time, and on motion of Mr. Chandler, ordered engrossed and passed to a third reading tomorrow.

Senate bill No. 41 was read a second time, and on motion of Mr. Cogswell, referred to the committee on elections.

Senate bill No. 42 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin, and Hamilton—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager, referred to the committee on judiciary.

Senate bill No. 43 was read a second time, and on motion of Mr. Looney, referred to the committee on education.

Senate bill No. 44 was read a second time, and on motion of Mr. Watkins, referred to the committee on judiciary.

Senate bill No. 45 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin, referred to the committee on counties.

Senate bill No. 46 coming on for a second reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dawson, referred to the committee on corporations.

Senate bill No. 47 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch,

Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Moore, referred to the committee on corporations.

Senate bill No. 48 coming on for a second reading, Mr. Steel moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President.—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel, referred to the committee on judiciary.

Senate bill No. 49 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to the committee on agriculture.

Senate bill No. 50 was read a second time, and on motion of Mr. Dimick, referred to the committee on military affairs.

Senate bill No. 51 was read a second time, and on motion of Mr. Wager, referred to the committee on corporations.

Senate bill No. 52 coming on for a second reading, Mr. Watkins

moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

• Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watkins, referred to the committee on judiciary.

Senate bill No. 53 was read a second time, and on motion of Mr. Fullerton, referred to a special committee consisting of the Senators from the second judicial district.

The courtesies of the senate were extended to Hon. J. W. Grim, an ex-Senator from Marion county, and a seat provided for him within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has appointed Mr. Apperson on the part of the house as joint committee to arrange a joint meeting of the two houses for the acceptance of the painting of Dr. McLoughlin from the Oregon pioneer association.

J. T. GREGG,  
Chief Clerk.

Mr. Wager introduced the following memorial:

#### SENATE JOINT MEMORIAL NO. 3.

*To the Honorable Senators and Representatives in Congress from Oregon:*

Your memorialist, the legislative assembly of the State of Oregon, hereby respectfully represent that,

WHEREAS, The Columbia river is obstructed at the Cascades [and] at The Dalles, rendering navigation thereof impossible; and,

WHEREAS, In consequence of such obstructions, a very large area of productive country is largely dependent upon a single railroad corporation, and is in consequence subjected to extravagant and unreasonable freight charges; and,

WHEREAS, The locks at the Cascades now in process of construction will evidently not be completed for a long time; and,

WHEREAS, Even when they are completed the obstructions from The Dalles to Celilo will still remain; and,

WHEREAS, With an opposition portage railroad around said obstructions between The Dalles and Celilo navigation would be greatly facilitated, and much relief afforded to all of Eastern Oregon, Eastern Washington and Idaho even with the locks uncompleted; and,

WHEREAS, The country along the Columbia river is now occupied by the Oregon Railway & Navigation Company's railroad, and it is doubtful if either the State of Oregon or a private incorporation can build and operate a railroad along said Oregon side of the Columbia river; and,

WHEREAS, A railroad along the north side of the river in Washington Territory between The Dalles and Celilo can be easily and cheaply constructed; therefore

We urgently request you and each of you to use all efforts in your power to present and pass a bill in congress condemning a strip of land in Washington Territory along the Columbia river sufficient for the construction and maintenance of a railroad so as to make connection with boats above Celilo and below The Dalles and to make sufficient appropriation by the General Government to pay all damages arising therefrom, either to said Territory or any private incorporation or individuals, also to make such provision as may be within the power of congress to assist the State of Oregon or the Territory of Washington or any private incorporation formed under the laws of Oregon or Washington, for the purpose of building such road.

And for this purpose your memorialists will ever pray.

The foregoing senate joint memorial No. 3, under the rules, was ordered printed.

Mr. Hamilton introduced the following memorial:

#### SENATE JOINT MEMORIAL NO. 4.

*To the Congress of the United States: .*

Your memorialist, the legislature of the State of Oregon, in senate and house of representatives assembled, respectfully represents that the interests of the people will be subserved by a reclass-

ification of the public lands so as to make a distinct class of those large tracts which are wholly pastoral and not adapted to any use except grazing, and profitable for that only in larger tracts than the law at present permits to be acquired. These pastoral lands are either at such an altitude, or arid and impossible of irrigation as to be useless for tillage. Their only value is in the natural grasses which they produce, and which are being rapidly destroyed by overstocking. This overstocking is due to the desire of the owners of herds to get all they can off of land belonging to the Government, whereas, if it were opened in grazing tracts of suitable area to private ownership, the preservation of its natural herbage and pasture plants would become a matter of private self-interest, and this valuable means of maintaining the meat supply of the country would be perpetuated.

We respectfully ask that congress will give to this great pastoral interest the same opportunity to acquire lands fit only for its use that has been given to the mineral, agricultural and timber interests.

In a few years if these pastoral lands are not conserved by private ownership, they will be useless for grazing, because, whether their peculiar character is due to altitude or aridity, the renewal of plant growth, after root and seed are destroyed, is so slow that generations will go by before the lands will again support animal life.

Your memorialist begs to represent the necessity of prompt consideration of this subject, in order to preserve the sole value of vast areas of the public domain.

The foregoing senate joint memorial No. 4, under the rules, was ordered printed.

Mr. Gray introduced the following resolution :

#### SENATE JOINT RESOLUTION NO. 2.

WHEREAS, There is now a large immigration coming into this State and the public lands are being sought for homes for incoming settlers; and,

WHEREAS, There are many settlers at this time upon unsurveyed public lands and who have made and are making for themselves homes and putting valuable and permanent improvements thereon, and who are unable to secure title to their homes, and are liable to lose their improvements and the fruits of their toil because of their inability to ascertain the proper boundary or locate the lines of their claims; and,

WHEREAS, There are large tracts of stone and timber lands which should be surveyed so that title thereto could be obtained under existing laws, thus adding to the wealth and resources of the State of Oregon; and,

WHEREAS, The present prices for surveying the public lands are inadequate to secure the same; therefore,

*Be it resolved by the Senate, the House concurring:*

That our Senators and Representatives in congress be requested to use every legitimate means to secure a law providing for the survey of the public lands within this State covered with forests or thick undergrowth, at a maximum price of not exceeding twenty-four dollars per mile for standard parallels, twenty dollars for township, and sixteen dollars for section lines, and to obtain a sufficient appropriation for making surveys thereunder without delay.

*Be it further resolved,* That the Secretary of State transmit a copy of this resolution to each of our Senators and to our Representative in congress.

The foregoing senate joint resolution No. 2, under the rules, was ordered printed.

Mr. Gray introduced the following resolution:

#### SENATE JOINT RESOLUTION NO. 3.

WHEREAS, The congress of the United States did in the year 1870 grant to the Oregon Central Railroad Company certain public lands, situated in Clatsop, Columbia, Tillamook, Washington and Yamhill counties, in the State of Oregon, for the purpose of aiding in the construction of the Oregon Central railroad from Portland to Astoria and McMinnville in said State; and,

WHEREAS, Many settlers, with the belief that said road would be built, have purchased lands from the Government at \$2.50 per acre along the line of said road, the said price being established by the Act of congress granting the said lands to said road; and,

WHEREAS, By Act of congress said lands were forfeited back to the Government, thereby depriving said settlers of the benefits and conveniences which the completion of said road would have secured to them, and resulting in great loss to them, and it is but just and right that said settlers purchasing Government land in good faith for the purpose of making homes, and who have suffered hardships and losses by reason of the failure of the construction of said road, and the forfeit of its lands, should be reimbursed by the General Government for the excess paid for said lands above the minimum price for the same; therefore,

*Be it resolved by the Legislative Assembly of the State of Oregon:*

That our Senators and Representatives in congress are hereby



instructed and requested to use all proper means for the passage of an Act to reimburse such settlers for the excess paid by said settlers for their lands.

The foregoing senate joint resolution No. 3, under the rules, was ordered printed.

On motion of Mr. Cogswell, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

WEDNESDAY, JANUARY 23, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called and all the Senators were present except Mr. Tongue.

Prayer was offered by Rev. Brown of Salem.

The journal of yesterday was read and approved.

On motion of Mr. Chandler, Hon. M. L. Olmstead, ex-Judge of the sixth judicial district, was invited within the bar of the senate and the usual courtesies of the senate extended to him.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. W. M. Townsend, an ex-Senator of Yamhill county.

Mr. Wager introduced the following resolution :

SENATE RESOLUTION NO. 20.

WHEREAS, A joint resolution has heretofore been adopted by this legislative assembly requiring that preference be given to ex-Union soldiers in the selection of committee clerks; and,

WHEREAS, Men of good physical ability and ample means have been employed to the exclusion of at least one worthy ex-Union soldier; and,

WHEREAS, The senate has been liberal in the employment of officers and assistant officers; and,

WHEREAS, One G. M. Smith, a crippled ex-Union soldier, and a



poor but honest and respected citizen of Umatilla county, and a Republican, is now here and is unable to return to his home except by the charity of his neighbors; therefore,

*Be it resolved*, That said G. M. Smith be and is hereby appointed Assistant Doorkeeper of the senate, with the same pay as the Doorkeeper from the 23d day of January, 1889, until the close of the session.

Mr. Wager moved the adoption of senate resolution No. 20.

Mr. Barin moved to amend the resolution by striking out the four clauses commencing with the word "Whereas."

Mr. Fullerton moved to refer the resolution to the committee on military affairs, which motion prevailed.

So senate resolution No. 20 was referred to the committee on military affairs.

Mr. Fullerton introduced the following resolution:

#### SENATE RESOLUTION NO. 21.

*Resolved*, That the State Superintendent of Public Instruction is hereby requested to furnish the senate with the names of the several county superintendents of schools who voted for the change in textbooks recently adopted in the common schools of the State.

On motion of Mr. Fullerton, senate resolution No. 21 was adopted.

#### INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Veatch introduced senate bill No. 73, being a bill for an Act authorizing the assessment and collection of road taxes and the election of road supervisors and defining their duties.

Mr. Veatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Dimick.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cauthorn introduced senate bill No. 74, being a bill for an Act to appropriate moneys for the purchase of land and for the extension, development and annual maintenance of the State agricultural college.

Mr. Cauthorn moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 75, being a bill for an Act to amend chapter LXXIII of the general laws of Oregon, as compiled by W. Lair Hill.

Mr. Dawson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Norval—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Gray introduced senate bill No. 76, being a bill for an Act to instruct the Secretary of State and State Treasurer to credit Clatsop county with various sums of money now charged on the State books as delinquent taxes.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch,

Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Looney introduced senate bill No. 77, being a bill for an Act to prevent adulteration of food, drugs or drink.

Mr. Looney moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Barin introduced senate bill No. 78, being a bill for an Act authorizing the assessment and collection of road taxes and the election of road supervisors and defining their duties.

Mr. Barin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Veatch—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 79, being a bill for an Act to appoint the time and place of holding the supreme court.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts and Mr. President—29.

Nays—None.

Absent—Mr. Veatch.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell introduced senate bill No. 80, being a bill for an Act for the relief of Lake county.

The bill was read the first time and passed to a second reading without a question.

Mr. Gray introduced senate bill No. 81, being a bill for an Act for the relief of Clatsop county.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Steel—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 82, being a bill for an Act to amend Section 2797 of Title VI, Chapter XVII, of the laws of Oregon, as compiled by W. Lair Hill.

The bill was read the first time and passed to a second reading without a question.

Mr. Chandler introduced senate bill No. 83, being a bill for an Act to adjust and relocate the county line between Baker and Union counties.

Mr. Chandler moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell,

Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Wager introduced senate bill No. 84, being a bill for an Act to more fully secure the independence of electors and the secrecy of the ballot.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 85, being a bill for an Act authorizing the State Treasurer to pay Douglas county certain moneys known as "Umpqua Bridge Fund."

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Gray introduced senate bill No. 86, being a bill for an Act to provide for the appointment of a Boatman at Astoria, Oregon, etc.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Mackay introduced senate bill No. 87, being a bill for an Act providing that the county court of any county in this State may provide a road fund.

Mr. Mackay moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Tongue introduced senate bill No. 88, being a bill for an Act to amend Section 2304 of the laws of Oregon.

Mr. Tongue moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Dimick—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Wait introduced senate bill No. 89, being a bill for an Act to protect hotel keepers and boarding-house keepers.

Mr. Wait moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Tongue introduced senate bill No. 90, being a bill for an Act to amend section 1982, title II, chapter X, of Hill's code.

Mr. Tongue moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hilton introduced senate bill No. 91, being a bill for an Act to provide for permanently locating the county seat of Gilliam county.

Mr. Hilton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.



Mr. Mackay introduced senate bill No. 92, being a bill for an Act to authorize the construction of a bridge between Portland and East Portland, in Multnomah county, Oregon.

Mr. Mackay moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Tongue.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Veatch introduced senate bill No. 93, being a bill for an Act to amend sections 3587, 3591 and 3593, chapter LI, of the miscellaneous laws of Oregon, as compiled by W. Lair Hill.

The bill was read the first time and passed to a second reading without a question.

Mr. Dawson introduced senate bill No. 94, being a bill for an Act to amend section 44 of title IV, chapter I, of the laws of Oregon, as compiled by W. Lair Hill.

The bill was read the first time and passed to a second reading without a question.

Mr. Fullerton introduced senate bill No. 95, being a bill for an Act to amend an Act incorporating the city of Roseburg.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Hatch.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cauthorn introduced senate bill No. 96, being a bill for an Act to encourage tree planting in public schools.



The bill was read the first time and passed to a second reading without a question.

Mr. Eakin introduced senate bill No. 97, being a bill for an Act entitled an Act authorizing the construction and operation of the Siuslaw and Eastern railroad and branches thereof.

Mr. Eakin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 98, being a bill for an Act to amend section 557 and repeal section 558, laws of Oregon.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Watkins.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell introduced senate bill No. 99, being a bill for an Act to quiet title of certain lands within the State of Oregon.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair,

Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Watkins.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Norval introduced senate bill No. 100, being a bill for an Act for redistricting the State into Senatorial and Representative districts.

Mr. Norval moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Watkins—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Veatch introduced senate bill No. 101, being a bill for an Act to regulate the transportation of freights by railroad corporations within the State of Oregon.

Mr. Veatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chamberlin and Watkins—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 102, being a bill for an Act to amend sections 149, 147, 294 and 291 of W. Lair Hill's annotated code.

Mr. Dawson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson,

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Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Moore and Watkins—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell introduced senate bill No. 103, being a bill for an Act to create the county of Hamilton in the State of Oregon, and to fix the salaries of county judge, treasurer and stock inspector.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dawson introduced senate bill No. 104, being a bill for an Act to amend section 1941 of title II, chapter VIII, of the laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Chandler introduced senate bill No. 105, being a bill for an Act to amend section 3366 of the laws of Oregon, as compiled by W. Lair Hill.

Mr. Chandler moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 106, being a bill for an Act to amend section 4229 of the miscellaneous laws of Oregon, compiled by W. Lair Hill.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell and Eakin—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Looney introduced senate bill No. 107, being a bill for an Act making it a misdemeanor for any person to ask or request for himself or another to be placed upon any jury.

The bill was read the first time and passed to a second reading without a question.

The President announced that the time had arrived for the senate to meet the house of representatives in joint convention for the purpose of canvassing and declaring the vote for United States Senator.

Whereupon the senate repaired to the hall of the house of representatives.

#### JOINT CONVENTION.

The joint convention was called to order by the President of the Senate.

The Chief Clerk of the Senate called the roll of the senate.

All the Senators were present except Mr. Cogswell.

The Chief Clerk of the House called the roll of the house.

All the Representatives were present except Mr. Ladd.

The President stated the object of the joint convention to be the canvassing of votes cast for United States Senator in the two houses of the legislative assembly of the State of Oregon on yesterday, and to declare the result thereof, and to take such further proceedings in the premises as might be required by the Act of congress, approved July 25, 1866.

By the direction of the President, the Chief Clerk of the Senate read from the senate journal of yesterday the proceedings had in

that body concerning the election of United States Senator for the State of Oregon, from which it appeared that on that day a vote had been duly taken for United States Senator for Oregon in accordance with the Act of congress, approved July 25, 1866; that on said ballot the whole number of votes cast was 30, of which Hon. J. N. Dolph had received 21, and Hon. Sylvester Pennoyer, 9. And that Hon. J. N. Dolph having therefore received a majority of all the votes cast, was declared the choice of the senate for United States Senator for Oregon.

The Clerk of the House of Representatives then read in like manner from the house journal of yesterday the proceedings had in that body on the same subject, from which it appeared that a vote had been duly taken on that day in the house of representatives for United States Senator for the State of Oregon, as required by said Act of congress; that the whole number of votes cast was 59, of which Hon. J. N. Dolph had received 46; Hon. Sylvester Pennoyer, 9; Hon. Geo. H. Williams, 2; Prof. Thos. Condon, 1; Hon. T. R. Cornelius, 1. That Hon. J. N. Dolph having therefore received a majority of all the votes cast, was declared the choice of the house of representatives for United States Senator for Oregon.

Whereupon the President declared that Hon. J. N. Dolph, having received a majority of all the votes cast in each house of the legislative assembly of the State of Oregon in manner and form provided by law, was declared duly elected United States Senator from the State of Oregon for the term of six years from the 4th day of March, 1889.

The following telegram was read by the Chief Clerk of the Senate:

WASHINGTON, D. C.,  
January 22, 1889.

*To the Chairman and Members of the Joint Legislative Convention :*

Telegrams received inform me that on the ballot for U. S. Senator to-day, I received a majority of the votes in both houses, and that nothing remains to be done but to announce the result in joint convention to-morrow. I am deeply grateful for the honor conferred upon me. To be chosen to represent a State of the Union in so distinguished and able a body as the United States senate is an honor of which any man may be justly proud. To be chosen for a second term to succeed himself is a greater honor. With the experience of six years in the senate, and the position on committees which continuous service will give me for the next six years, I hope to accomplish much more during my next term than it has been possible to accomplish during the present one. The approval of my

official course implied in my re-election shall stimulate me to greater exertions and more earnest and constant efforts to faithfully discharge the important trust that the people of Oregon have imposed upon me. My time and energies shall be devoted to the discharge of my official duties with an earnest purpose to faithfully represent every section of the State and to promote the interests of the whole people.

J. N. DOLPH.

On motion of Representative Thompson, the joint convention dissolved, and the senate returned to the senate chamber.

#### IN THE SENATE.

The senate being again called to order by President Simon, on motion of Mr. Gray, the senate adjourned.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Carson, Gray, Hatch, Raley and Chamberlin.

Mr. Chamberlin, at the request of Mr. Dimick, was excused from further attendance for this afternoon on account of sickness.

Mr. Barin introduced senate-bill No. 108, being a bill for an Act to amend section 387 of the miscellaneous laws of Oregon, Hill's annotated code.

Mr. Barin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :  
Those voting aye were :

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson, Chamberlin and Gray—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

## SECOND READING OF SENATE BILLS.

Senate bill No. 54 coming on for a second reading, Mr. Watts moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson, Chamberlin and Steel—3.

So the rules were suspended and the bill was read a second time by title.

Whereupon Mr. Watts moved that the bill be considered engrossed and that the rules be further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chamberlin—2.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Chandler—2.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill No. 55 coming on for a second reading, Mr. Watts moved that that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson,



Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts, referred to the committee on corporations.

Senate bill No. 56 was read a second time, and on motion of Mr. Moore, referred to the committee on judiciary.

Senate bill No. 57 was read a second time, and on motion of Mr. Moore, referred to the committee on judiciary.

Senate bill No. 58 coming on for a second reading, Mr. Hilton moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Chamberlin—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hilton, referred to the committee on agriculture.

Senate bill No. 59 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Hatch and Sinclair—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on commerce.

Senate bill No. 60 was read a second time, and on motion of Mr. Hilton, referred to the committee on roads and highways.

Senate bill No. 61 coming on for a second reading, Mr. Irvine



moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Dawson and Sinclair—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Irvine, referred to the committee on corporations.

Senate bill No. 62 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Moore and Sinclair—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on corporations.

Senate bill No. 63 coming on for a second reading, Mr. Hamilton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Dawson, and Sinclair—3.

So the rules were suspended and the bill was read second time by title, and on motion of Mr. Hamilton, referred to the committee on counties.

Senate bill No. 64 was read a second time, and on motion of Mr. Wager, referred to the committee on roads and highways.

Mr. Dawson, chairman of the committee on engrossed bills, to whom was referred senate bill No. 40, submitted the following:

## REPORT.

SENATE CHAMBER,  
January 23, 1889. }

*Mr. President:*

Your committee on engrossed bills respectfully report senate bill No. 40 as correctly engrossed.

S. A. DAWSON,  
Chairman.

## THIRD READING OF SENATE BILLS.

Senate bill No. 40 was read the third time, and on motion of Mr. Chandler, referred to the committee on counties, with instructions to amend the same so that the Act shall not apply to the present incumbent of the county clerk's office of Baker county, Oregon.

Mr. Irvine, by unanimous consent, introduced the following memorial:

## SENATE JOINT MEMORIAL NO. 5.

*To the Honorable Senate and House of Representatives of the United States of America:*

Your memorialists, the legislative assembly of the State of Oregon, most respectfully represent:

That the original Territory of Oregon comprised the territory now included in the State of Oregon and the Territories of Washington, Idaho, and a part of Montana.

That the pioneers, who, at an early date, crossed the plains and the Rocky and Sierra Nevada mountains and planted the standard of the United States in the valleys of Oregon, and gave to the Union a vast empire of rich and fertile lands as valuable as that derived from Mexico, at a cost of many valuable lives and treasure, amounting to nearly thirty-five millions of dollars, and of far more importance and infinitely of greater value than the Alaskan Territory; for which it is generally admitted that the money was wisely expended.

All this vast country now furnishing homes for millions of our countrymen and adding untold wealth to the nation was preserved to the Union, and the country opened to settlement by the energy, bravery and perseverance of the early pioneers, who were surrounded on all sides by the Indians, who were friendly and allied with those that were friendly to Great Britain.

That Indian wars and massacres followed and the settlers were put in great peril, and for the protection of their homes were forced to organize and maintain armies unassisted by the General Government, owing to the fact that communication with the seat of Government was almost impossible.

Numerous wars occurred with the various Indian tribes between the years of 1847 and 1857, in which the resources of the new country were sorely taxed and many of the best men were slain and others wounded, but their valor and patriotism sustained them and victory crowned their efforts.

Now these men who were then young and valorous, and were engaged in these deadly conflicts are now old and many of them in sore need of assistance.

Many of them carry wounds received in the line of battle, fighting in as noble a cause as ever sword was unsheathed in or bugle proclaimed. A just and a generous Government has recognized in a proper manner the services of those that did the fighting in all the wars of the General Government, and pensions have been justly granted: but those that struggled in an humbler sphere, the results of which were as far-reaching and their victories as beneficial to the Nation as any others chronicled in our history, go unrewarded, because they were not regularly mustered into the service of the United States; yet their services were as great and their accomplishments were appropriated by the Government. Their victories brought richer rewards to our common country than any other achievements for half a century past, and a generous Government should recognize and reward their valuable labors, and place them on an equality with the veterans of the Mexican war.

Wherefore, your memorialists earnestly but respectfully ask that justice be done to the survivors of the wars during the period between 1847 and 1857, and that the same pensions and benefits granted to the Mexican Veterans be given to those who served in the Indian wars of the Territory of Oregon, in the volunteer service whether of the Territory or General Government.

That this memorial be immediately forwarded to our representatives in congress with the request that they present the same and urge the passage of a law as herein requested.

The foregoing senate joint memorial No. 5, under the rules, was ordered printed.

The following communication was received by the senate and read:

STATE OF OREGON,  
DEPARTMENT OF PUBLIC INSTRUCTION,  
SALEM, Oregon,-----1888.

STATE BOARD OF EDUCATION.

SYLVESTER PENNOYER, Governor-----Salem.  
GEO. W. McBRIDE, Secretary of State-----Salem.  
E. B. McELROY, State Supt. Public Instruction-----Salem.

LIST OF COUNTY SUPERINTENDENTS

Now in commission and serving until July, 1890.

County Superintendent.	Post Office.	County.
C. H. Whitney-----	Baker City-----	Baker.
J. J. Bryan-----	Philomath-----	Benton.
Alex. Thompson-----	Oregon City-----	Clackamas.
C. W. Shively-----	Astoria-----	Clatsop.
J. G. Watts-----	Scappoose-----	Columbia.
W. H. Bunch-----	Myrtle Point-----	Coos.
Geo. W. Slayton-----	Prineville-----	Crook.
Frank A. Stewart-----	Ellensburg-----	Curry.
T. O. Hutchinson-----	Oakland-----	Douglas.
E. Hayes-----	Prairie City-----	Grant.
W. W. Kennedy-----	Fossil-----	Gilliam.
H. H. Mitchell-----	Spikenard-----	Jackson.
W. A. Massie-----	McAllister-----	Josephine.
P. L. Fountain-----	Linkville-----	Klamath.
A. H. Fisher-----	Lakeview-----	Lake.
J. G. Stevenson-----	Eugene-----	Lane.
L. M. Curl-----	Albany-----	Linn.
F. L. Moore-----	Malheur City-----	Malheur.
D. W. Yoder-----	Salem-----	Marion.
J. H. Stanley-----	Heppner-----	Morrow.
W. A. Wetzell-----	East Portland-----	Multnomah.
W. I. Reynolds-----	Beuna Vista-----	Polk.
I. T. Maulsby-----	Tillamook-----	Tillamook.
W. M. Pierce-----	Weston-----	Umatilla.
J. L. Carter-----	Island City-----	Union.
C. R. Shields-----	Joseph-----	Wallowa.
A. C. Connelly-----	The Dalles-----	Wasco.
Clark Smith-----	Cornelius-----	Washington.
Lee H. Baker-----	McMinnville-----	Yamhill.

STATE BOARD OF EXAMINERS.

THOMAS VAN SCOY, A. M., D. D., Willamette University-----Salem.  
B. J. HAWTHORNE, A. M., State University-----Eugene City.  
J. F. ELLIS, A. M., D. D., Pacific University-----Forest Grove.  
J. E. PAYTON, A. M., ex-County Superintendent-----Baker City.  
T. H. CRAWFORD, A. M., Principal Park School-----Portland.  
I. W. PRATT, A. M., Principal Harrison School-----Portland.  
J. W. MERRITT, A. M-----Jacksonville.  
D. V. S. REID, A. M-----Albany.  
J. B. HORNER, A. M., Principal Public Schools-----Roseburg.  
FRANK RIGLER, A. M., Principal Public Schools-----Oregon City.

On request of Mr. Fullerton, the resolution requiring the Superintendent of Public Instruction to furnish the names of county school superintendents who voted for a change in text-books was, by unanimous consent, amended so as to read as follows:  
*Resolved*, That the State Superintendent of Public Instruction is hereby required to furnish the senate with the names of the several

county superintendents of schools who voted in favor of the change in text-books recently adopted in the common schools of the State.

The President ordered the Chief Clerk to send a copy of the resolution as amended to the Superintendent of Public Instruction.

#### PETITIONS, MEMORIALS AND REMONSTRANCES.

A petition was presented by Mr. Watts relating to State normal schools, which, on motion of Mr. Watts, was referred to the committee on education.

Mr. Hilton introduced the following memorial:

#### SENATE JOINT MEMORIAL NO. 6.

*To the Honorable, the Senators and Representatives of the United States in Congress Assembled:*

We your memorialists, the legislative assembly of the State of Oregon, respectfully represent:

That the land grant to the Northern Pacific Railroad Company, coterminous with and adjacent to the Cascade branch of the Northern Pacific railroad, extends over and covers a large area of valuable and fertile lands in the northeastern portion of the State of Oregon.

That the land grant coterminous with and adjacent to the proposed Columbia river branch of said Northern Pacific railroad extending from Wallula, in Washington Territory, to Portland, Oregon, extends over and occupies an immense tract of valuable lands in the northern portion of the State.

That in many cases so-called "railroad lands," that is, lands claimed by the Northern Pacific Railroad Company, and held from claim or settlement under the Acts of congress extended fifty or sixty miles or more from the line where said road or either branch thereof has been located.

That the said Northern Pacific Railroad Company has never built a road or branch thereof between Wallula and Portland, or any part thereof.

That said route is occupied and used by a road built without a grant of land, and there is no prospect nor necessity of building said road between Wallula and Portland by the said Northern Pacific Railroad Company.

That under the Act of congress by which said lands were granted to said company they were long since forfeitable, and, as a matter of justice to the people, should have been long since forfeited.

That a large portion of said lands is now occupied by actual settlers desirous of making for themselves homes, but by reason of the illegal and unjust claim or pretended claim of said company, has created great uneasiness and distrust in the minds of said settlers; thus hindering and retarding the progress and settlement of a large and fertile region of our State by causing vast tracts of land to remain unoccupied, and preventing permanent and valuable improvements from being placed upon such portion as is now occupied, by reason of the unsettled and uncertain condition of said claim or pretended claim of the said Northern Pacific Railroad Company.

That by the forfeiture of said lands it will increase the wealth, prosperity and general welfare of the State of Oregon, and the eastern portion in particular.

And to the end that the greatest good may come to our commonwealth, we, your aforesaid memorialist, most respectfully and earnestly ask:

First—That all the lands of said company coterminous with and adjacent to the proposed Columbia river branch of said road, namely, between Wallula, Washington Territory, and Portland, Oregon, be declared forfeited without delay.

Second—That the forfeiture of said lands do not depend upon the condition of any other portion of the grant of said company than the one mentioned herein; and that the question of the forfeiture herein mentioned be acted upon independently of all others, that the minds of the people may be set at rest and their property rights secured.

And your memorialist will ever pray, etc.

The foregoing senate joint memorial No. 6, under the rules, was ordered printed.

#### REPORTS OF STANDING COMMITTEES.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 12, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Add the word "miscellaneous" before the word "laws" in the first line of the title to the bill as per printed copy.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the amendment was adopted.

On motion of Mr. Barin, senate bill No. 12 as amended was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 22, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 29, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 29 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 37, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all after the word "and" in the fourth line of printed bill and all of line five of said printed bill and insert or add the word "voluntarily."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the amendment was adopted.

On motion of Mr. Barin, senate bill No. 37 as amended was ordered engrossed for a third reading to-morrow.

Mr. Moore, chairman of the committee on elections, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President :*

Your committee on elections, to whom was referred senate bill No. 41, beg leave to report that they have had the same under consideration, and would respectively report it back to the senate with the recommendation that it do pass.

F. A. MOORE,  
Chairman.

On motion of Mr. Moore, senate bill No. 41 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January, 22, 1889. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill Nos. 9 and 30, incorporated the substance of said bill No. 30 in said bill No. 9 and recommend that said bill No. 9 be amended as follows:

## FIRST AMENDMENT.

Section 1. That the word "Umatilla" in line 9 of said senate bill No. 9 be stricken out.



## SECOND AMENDMENT.

Section 2. That the word "Klamath" in line 11 of said printed bill be stricken out.

## THIRD AMENDMENT.

Section 3. That the words "Umatilla" and "Klamath" so stricken out be inserted in line 8 of said printed bill.

## FOURTH AMENDMENT.

Section 4. That this Act shall be in force from and after its approval by the Governor.

Beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass as amended.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the amendments to senate bill No. 9 were adopted.

On motion of Mr. Norval, senate bill No. 9 as amended was ordered engrossed for a third reading to-morrow.

Mr. Dimick, chairman of the committee on military affairs, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on military affairs, to whom was referred house joint memorial No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. DIMICK,  
Chairman.

House joint memorial No. 3 was ordered placed on the calendar.

Mr. Gray, chairman of the committee on commerce, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 21, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, senate bill No. 21 was ordered engrossed for a third reading to-morrow.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on enrolled bills respectfully report senate joint memorial Nos. 1 and 2 correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Looney, chairman of the committee on agriculture, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 22, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

In section four, line seven, printed bill, after the word "taxes" add "*provided*, that the same may be remitted by the county court at

any regular session thereof upon the petition of ten resident householders of the precinct where said petitioner resides."

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the amendment to senate bill No. 22 was adopted.

On motion of Mr. Looney, senate bill No. 22 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Cogswell, the Senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

THURSDAY, JANUARY 24, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Chamberlin, who was excused on account of sickness.

Prayer was offered by Rev. F. H. Post of Salem.

On motion of Mr. Carson, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Cogswell, it was ordered that when the senate adjourns it adjourns over until next Monday at two o'clock P. M.

The President laid before the senate the following communication from the Astoria chamber of commerce:

COMMUNICATION.

ASTORIA CHAMBER OF COMMERCE,  
ASTORIA, Oregon,  
January 21, 1889. }

At a meeting of the members of the Astoria chamber of commerce, held this evening, the following resolutions were presented and unanimously adopted:

WHEREAS, It has come to the knowledge of this chamber of commerce that an effort will be made to pass a bill at the present session of the legislative assembly of Oregon, reducing the compensation now received by the Columbia river bar pilots; and,

WHEREAS, This chamber is emphatically of the opinion that in the faithful and efficient performance of their laborious and dangerous calling, the said pilots fully earn the fees now allowed by the law of the State, and that any reduction of the same would be detrimental to the interest of the commerce of the Columbia river; therefore be it

*Resolved*, That the Astoria chamber of commerce does hereby respectfully but earnestly protest against any modification or amendment of the laws now regulating and governing the bar pilotage system whereby the fees or compensation now received by said bar pilots shall be materially reduced.

(Signed.)

H. C. THOMPSON,  
JAS. W. WELCH,  
W. W. PARKER,  
Committee.

ATTEST: \_\_\_\_\_,  
Secretary.

ASTORIA CHAMBER OF COMMERCE, }  
ASTORIA, Oregon, }  
January 22, 1889. }

*To the Hon. the President of the Senate of the State Legislature, Salem,  
Oregon:*

SIR: In accordance with a resolution passed by the Astoria chamber of commerce, I herewith forward you a copy of the resolutions presented to and unanimously adopted by the chamber, protesting against the passage of any bill materially reducing the compensation now legally fixed and allowed to the bar pilots at the mouth of the Columbia river, with the request that you will cause the same to be read in open session of the senate at the earliest opportunity.

I have the honor to remain,

Yours very respectfully,

E. C. HOLDEN,  
Secretary.

The foregoing communication with accompanying resolution was read, and on motion of Mr. Gray, referred to the committee on commerce.

The President laid before the senate a communication from the State Treasurer, as follows:

## COMMUNICATION.

TREASURY DEPARTMENT, }  
SALEM, Oregon, }  
January 24, 1889. }

*Mr. President:*

In compliance with senate resolution No. 14, a copy of which has been received from the Chief Clerk, and which is as follows:

*Resolved*, That the State Treasurer be directed to furnish the senate with a statement of the amount of moneys in his hands arising from the five per centum of the net proceeds of the sales of public lands of the United States, or out of the sale of the swamp and overflowed lands—

I have the honor to report that there is a balance in the five per cent fund of \$210.13; that there is a balance in the swamp land fund of \$18,408.59, of which \$11,429.99 was received from the land department on the 31st of December, 1888.

All of which is respectfully submitted.

G. W. WEBB,  
State Treasurer.

The foregoing communication was read and ordered placed on file.

## REPORTS OF SPECIAL COMMITTEES.

Mr. Carson, chairman of the special committee consisting of the Senators from Multnomah county, submitted the following:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
January 24, 1889. }

*Mr. President:*

Your special committee, consisting of the Senators from Multnomah county, to whom was referred senate bill No. 17, beg leave to report that they have had the same under consideration and would recommend that the same do pass.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, senate bill No. 17 was ordered engrossed and passed to a third reading to-morrow.

Mr. Carson, chairman of the special committee, consisting of the Senators from Multnomah county, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1889. }

*Mr. President :*

Your special committee, consisting of the Senators from Multnomah county, to whom was referred senate bill No. 36, beg leave to report that they have had the same under consideration, and would recommend that the same do pass.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, senate bill No. 36 was ordered engrossed and passed to a third reading to-morrow.

Mr. Cogswell, chairman of the special committee under senate resolution No. 19, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President :*

Your special committee, to whom was referred the Governor's message, under resolution No. 19, beg leave to recommend that the recommendations contained in the message be referred as follows:

Nos. 1 and 4 to committee on commerce.

Nos. 3, 5, 6 and 13 to committee on corporations.

No. 7 to committee on fishing industry.

No. 8 to committee on education.

Nos. 9 and 11 to committee on judiciary.

Nos. 10 and 14 to committee on elections.

No. 12 to committee on counties.

We would also recommend that that portion of the message which refers to the enforcement of the law be referred to the committee on judiciary.

C. A. COGSWELL,  
Chairman,  
J. W. WATTS,  
J. W. NORVAL.

On motion of Mr. Cogswell, the foregoing report was adopted.

Mr. Dawson, chairman of the committee on joint rules, submitted the following:

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

We your committee on the part of the senate to confer with a like committee on the part of the house, to frame joint rules regulating the transaction of business between the two houses, respectfully report that upon conference with the house committee we have agreed upon the joint rules of the last regular session of the legislative assembly, and we recommend the adoption of the same by the senate.

Respectfully submitted,

S. A. DAWSON,  
W. SINCLAIR,  
Committee.

On motion of Mr. Dawson, the foregoing report was adopted.

By request, the President, by unanimous consent, excused Messrs. Hatch and Veatch, the senate joint committee to visit the Agricultural college at Corvallis; also Mr. Cauthorn, who desired to accompany said committee.

### INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Gray introduced senate bill No. 109, being a bill for an Act to provide for the improvement and construction of a wagon road from Olney, Oregon, to Riverside, Oregon, and appropriate money therefor.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Hatch and Veatch—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Chandler introduced senate bill No. 110, being a bill for an Act to repeal section 2343 of the general laws of Oregon, as compiled by W. Lair Hill, in so far as it relates to county clerk of Baker county.

The bill was read, and Mr. Chandler asked unanimous consent to withdraw senate bill No. 40, which was granted, and the committee on counties instructed to report senate bill No. 40 back, when the Senator had leave granted to withdraw the same.

Mr. Chandler now moved that the rules be suspended and senate bill No. 110 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Hatch, and Veatch—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to the committee on counties.

Mr. Cogswell introduced senate bill No. 111, being a bill for an Act authorizing the county court of the several counties of the State to declare unnavigable streams highways for the floating of logs and timber, and provide for the improvement of the same.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Hatch, Tongue and Veatch—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick introduced senate bill No. 112, being a bill for an Act to define the duties of the fish commission and regulate their salaries.



Mr. Dimick moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Hatch, Norval, Tongue and Veatch—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Stanley introduced senate bill No. 113, being a bill for an Act to aid Jackson county in building a railroad from Jacksonville to Medford.

Mr. Mackay moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dimick, Hatch and Veatch—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watkins introduced senate bill No. 114, being a bill for an Act to amend section 2602 of title IV of chapter XVI of the laws of Oregon, as compiled by W. Lair Hill.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chandler, Dawson, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Cogswell, Dimick, Hatch, Tongue and Veatch—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Wait introduced senate bill No. 112, being a bill for an Act to appropriate money to aid the refuge home to carry out the purpose of its organization.

The bill was read the first time and passed to a second reading without a question.

#### SECOND READING OF SENATE BILLS.

Senate bill No. 65 was read a second time, and on motion of Mr. Sinclair, referred to the committee on claims.

Senate bill No. 66 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Mackay and Veatch—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Raley referred to the committee on corporations.

Senate bill No. 67 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Gray, Hatch and Veatch—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on corporations.

Senate bill No. 68 was read a second time, and on motion of Mr. Mackay, referred to the committee on counties.

Senate bill No. 69 coming on for a second reading, Mr. Watkins moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Hatch, Stanley and Veatch—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel, referred to a special committee consisting of the Senators from Wasco and Gilliam counties.

Senate bill No. 70 coming on for a second reading, Mr. Watkins moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Hatch, Raley and Veatch—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel, was referred to a special committee consisting of the Senators from Wasco and Gilliam counties.

Senate bill No. 71 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Hatch and Veatch—4.

So the rules were suspended and the bill was read a second time

by title, and on motion of Mr. Dimick, referred to the committee on public buildings.

Senate bill No. 72 was read a second time, and on motion of Mr. Cogswell, referred to a special committee composed of Senators from the counties named in the bill.

Senate bill No. 79 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Hatch and Veatch—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Fullerton, referred to the committee on judiciary.

On motion of Mr. Sinclair, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

MONDAY, JANUARY 28, 1889.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Chandler, and Gray.

The journal of Thursday's session was read and approved.

Senate joint memorial No. 3 coming on for consideration, was read, and on motion of Mr. Wager, adopted by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson,

Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Dimick—2.

Senate joint memorial No. 4 coming on for consideration, was read, and on motion of Mr. Hamilton, referred to the committee on public lands.

At the request of Mr. Stanley, the President excused Mr. Chandler from attendance for this afternoon.

Senate joint memorial No. 5 coming on for consideration, was read, and Mr. Irvine moved that the same be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So senate joint memorial No. 5 was declared adopted.

Senate joint memorial No. 6 coming on for consideration, was read, and Mr. Hilton moved to adopt the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chandler and Cogswell—3.

So senate joint memorial No. 6 was declared adopted.

Senate joint resolution No. 2 coming on for consideration, was read, and Mr. Gray moved to adopt the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So senate joint resolution No. 2 was declared adopted.

Senate joint resolution No. 3 coming on for consideration, was read, and Mr. Gray moved to adopt the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Veatch—2.

So senate joint resolution No. 3 was declared adopted.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon. }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 14, to change the name of the town of Averill, Coos county, to Bandon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 14 accompanying the foregoing message was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 17, to confirm to the county of Umatilla the title to block 12 of the town of Pendleton.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 17 accompanying the foregoing message, was read the first time, and Mr. Raley moved that the rules be suspended and house bill No. 17 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and house bill No. 17 was read a second time by title, and on motion of Mr. Raley, referred to the committee on corporations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 28, to change the name of the town of Lincoln, in Tillamook county, to Tillamook.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

H. B. No. 28 accompanying the foregoing message was read the first time, and Mr. Tongue moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Tongue, referred to the committee on corporations.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 50, to provide for the purchase and distribution of codes and court reports of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 50 accompanying the foregoing message was read the first time, and Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Carson, was referred to the committee on judiciary.

Mr. Sinclair now moved that the rules be suspended and house bill No. 14 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and the bill was read a second time by title and passed to a third reading to-morrow.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 59, to change the time of holding circuit court in Tillamook county.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 59 accompanying the foregoing message, was read the first time, and Mr. Moore moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Moore, referred to the committee on judiciary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 60, to change the time of holding the terms of the county courts in Tillamook county.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 60 accompanying the foregoing message, was read the first time, and Mr. Tongue moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and the bill was read a second time by title, and Mr. Cogswell moved to amend the same by prefixing the word and figure "Section 1" to first line of printed bill, which motion prevailed, and the bill was passed to a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 52, to declare who are magistrates.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 52 accompanying the foregoing message was read the first time and passed to a second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 83, relating to surveys authorized by the congress of the United States.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 83 coming on for a first reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.[?]

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 5, praying congress to enact legislation as will make payment for Indian depredations.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 5 accompanying the foregoing message was read, and Mr. Cogswell moved to concur in house joint memorial No. 5.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So house joint memorial No. 5 was declared concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 24, 1889. }

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 2, praying congress to adopt appropriate legislation looking to the purchase of the canal and locks at the falls of the Willamette.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 2 accompanying the foregoing message was read, and Mr. Gray moved to concur in said memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So house joint memorial No. 2 was concurred in.

On motion of Mr. Raley, the courtesies of the senate were extended to Hon. L. L. McArthur, United States district attorney, and a seat was provided for him within the bar of the senate.

On motion of Mr. Norval, the courtesies of the senate were extended to Hon. D. Wright, an ex-State Senator from Union county, and he was provided with a seat within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 24, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 54.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 54 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 34, with amendments.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Irvine, the house amendments to senate bill No. 34 were concurred in and said bill ordered enrolled.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
January 24, 1889. }

*Mr. President :*

Your committee on engrossed bills respectfully report senate bills Nos. 9, 12, 17, 21, 22, 29, 30, 36, 37 and 41 as correctly engrossed.

S. A. DAWSON,  
Chairman.

#### THIRD READING OF SENATE BILLS.

Senate bill No. 9 was read the third time, and Mr. Cogswell moved to re-refer said bill to the committee on counties, with instruction to amend section 2 so that it will read as follows:

Section 2. Inasmuch as it is necessary that a term of said court be held in Klamath county on the first Monday of May, 1889, this Act shall take effect and be in force from and after its approval by the Governor.

Mr. Tongue moved that the committee be further instructed to add to the bill as follows:

Section 2. That the county commissioners in each county shall meet for the transaction of county business on the Wednesday next following the first day of each term of court.

The foregoing amendments were adopted and the motion to re-refer the bill, with amendments, to the committee on counties prevailed, and the bill was so re-referred.

Senate bill No. 12 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Cogswell, Irvine and Veatch—3.

Absent—Messrs. Chandler, Fullerton, Gray and Hamilton—4.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill No. 17 was read the third time.

The question now being, "Shall the bill pass?" Mr. Tongue moved to refer the bill to the special committee of Senators from Multnomah county with instructions to amend the same by striking from the part of section 2 the words: "And shall be entitled to the same privilege and exemption," and to add in lieu thereof the words: "Providing that all bonds issued under this Act shall be subject to taxation for State, county and municipal purposes as other personal property in this State."

Pending discussion on the adoption of the foregoing motion to refer and amend, the senate, on motion of Mr. Fullerton, adjourned.

JOHN H. SHUPE,  
Chief Clerk.

TUESDAY, JANUARY 29, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Cogswell and Veatch.

On motion of Mr. Fullerton, the reading of the journal of yesterday was dispensed with.

The senate having under consideration Mr. Tongue's amendment to senate bill No. 17, Mr. Chandler moved that further action thereon be postponed, and the consideration of said amendment together with the bill be made the special order for 11 o'clock A. M. on next Thursday.

A vote being taken, said motion was lost.

The question now recurring on the adoption of the amendments, and a vote being taken thereon, the same was lost.

The main question "Shall the bill pass?" being now put to the senate, the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts and Mr. President—26.

Nays—Messrs. Dawson, Irvine, Looney and Veatch—4.

Absent—None.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

By unanimous consent, Mr. Gray moved to suspend the rules and take house joint resolution No. 2 from the table and consider the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Hamilton and Mackay—4.

So the rules were suspended and house joint resolution No. 2 was taken from the table, and Mr. Gray moved to concur in the same, which motion prevailed.

So house joint resolution No. 2 was declared concurred in.

Senate bill No. 21 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley,

Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Irvine, Looney, Veatch and Watts—8.

Absent—None.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

On motion of Mr. Cogswell, the senate adjourned.

### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called and all the Senators were present except Mr. Watkins.

Senate bill No. 22 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cogswell—2.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill 29 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chamberlin.

So the bill passed, and the title of the bill declared to stand as the title of the Act.



Senate bill No. 30 coming on for a third reading, Mr. Cogswell moved that inasmuch as this bill had been merged and incorporated with senate bill No. 9, the further consideration of it be indefinitely postponed.

Which motion prevailed, and it was so ordered.

Senate bill No. 36 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Cogswell—2.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill 37 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill No. 41 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the bill passed, and on motion of Mr. Wager, the title of the bill was amended so as to read as follows:

## AMENDMENT.

"An Act to amend section 2540 of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill."

The title as above amended was declared to stand as the title of the Act.

House joint memorial No. 3 coming on for consideration, was read, and Mr. Dimick moved to concur in said memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So house joint memorial No. 3 was declared concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 28, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 7, relating to the distribution of journals and session laws of the present session.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 7 accompanying the foregoing message was read, and Mr. Cauthorn moved to concur in said resolution.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So house joint resolution No. 7 was declared concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 1, relating to amendments to the city of Grant's Pass.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 1 accompanying the foregoing message was read, and Mr. Fullerton moved to refer said memorial to the committee on corporations.

Which motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 28, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate joint memorial No. 5.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

Senate joint memorial No. 5 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 9, relating to the disposition of the lands of the Umatilla Indian reservation which have been allotted in severalty.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 9 accompanying the foregoing message was read, and Mr. Raley moved to concur in said memorial.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So house joint memorial No. 9 was declared concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate joint resolution No. 2, relating to surveys of public lands.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 2 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate joint memorial No. 2 and senate joint memorial No. 1.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate joint memorial No. 3, relating to condemning certain lands in Washington Territory.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint memorial No. 3 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM Oregon, }  
January 29, 1889, }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate joint resolution No. 3, relating to certain railroad grants.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 3 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate joint memorial No. 6, relating to certain lands connected with the North Pacific Railroad grant.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint memorial No. 6 was ordered enrolled.

## SECOND READING OF HOUSE BILLS.

House bill No. 52 was read a second time, and Mr. Sinclair moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the bill was declared as having passed.

House bill No. 83 was read a second time, and on motion of Mr. Barin, referred to the committee on judiciary.

## THIRD READING OF HOUSE BILLS.

House bill No. 14 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the bill was declared passed.

House bill No. 60 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Wait.

So the bill was declared passed.

Mr. Fullerton presented a petition from citizens of Roseburg concerning amendments to the charter of said city, which on motion of Mr. Fullerton, was referred to the committee on corporations.

#### REPORTS OF COMMITTEES.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Insert after the word "State" in line one of printed bill "Or any State or Territory of the United States."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendment was adopted.

On motion of Mr. Barin, senate bill No. 8 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the joint committee on assessment and taxation.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the recommendation of the judiciary committee was adopted.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Strike out all after the word "county" in line three of printed bill and all of line four; also all of line five to and including the word "county," and in the same line after the word "clerk" strike out the following words "of such counties."

L. T. BARIN,  
Chairman.

Mr. Cogswell moved to amend senate bill No. 20 as follows:

## AMENDMENT.

That all that part of line three, section 1, after the word "each" be stricken out; also all of line four, and also all of that part of line



five preceding the words "county clerk;" also that the words "of such counties" in line five of said section.

On motion of Mr. Fullerton, the bill with the amendments was re-referred to the committee on judiciary.

Mr. Barin, chairman of the committee on judiciary, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 31, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 31 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill No. 42, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

L. T. BARIN,  
Chairman.

On motion of Mr. Wager, senate bill No. 42 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on judiciary, to whom was referred senate bill

No. 48, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

**FIRST AMENDMENT.**

Add after the word "thereby" in line five, section one, of printed bill, the following: "having first paid or tendered to the owner thereof the compensation or damages as hereinafter prescribed."

**SECOND AMENDMENT.**

Strike out all of section six and insert the following in lieu thereof: "Section 6. Inasmuch as there is now no law on this subject, this Act shall be in force from and after its approval by the Governor."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted :  
On motion of Mr. Barin, senate bill No. 48 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 56, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 56 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 57, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

## AMENDMENT.

Add the following to the bill as introduced :

Section 2. Inasmuch as the present law is defective and works injustice, this Act shall take effect and be in force from and after its approval be the Governor.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

On motion of Mr. Baron, senate bill No. 57 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 79, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Strike out the words "one term" after the words "shall be" in line one of printed bill, and insert in lieu thereof the words "two terms." Also strike out of line two all after the word "commencing" and insert in lieu thereof "on the first Monday in March and the first Monday in October in each year and at such other times as said court."

## SECOND AMENDMENT.

Also add in line six, section three, the following words: "Unless otherwise stipulated between the parties or ordered by the court."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

Mr. Tongue moved to amend section 6 of senate bill No. 79 by striking out the word "two" before "thousand" and insert the word "one" in lieu thereof.

On the adoption of Mr. Tongue's amendment the ayes and nays were called for by Messrs. Looney, Dimick and Tongue.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Irvine, Looney, Tongue, Veatch, Wait, Watkins and Watts—16.

Nays—Messrs. Barin, Carson, Cogswell, Fullerton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, and Mr. President—14.

Absent—None.

So Mr. Tongue's amendment was adopted.

Mr. Wager moved to amend senate bill No. 79 as follows: In line two of section 6 strike out the words "one thousand" and insert the words "fifteen hundred."

On the adoption of Mr. Wager's amendment the ayes and nays were called for by Messrs. Tongue, Barin and Dimick.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Fullerton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, and Mr. President—14.

Nays—Messrs. Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Irvine, Looney, Tongue, Veatch, Wait, Watkins and Watts—16.

Absent—None.

So the amendment was lost.

Mr. Veatch moved to strike out of section 2, "The supreme court, or a majority of the Judges thereof, shall appoint an additional clerk of said court, who shall qualify as now provided by law, and shall reside and keep his office in the city of Pendleton."

A vote being taken on the adoption of said amendment, the same was lost.

On motion of Mr. Barin, senate bill No. 79 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 20, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all after the word "county" of line three of printed bill, and all of line four; also all of line five to and including the word "county," and in the same line after the word "clerk" strike out the following words: "of such counties."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendment was adopted and the bill ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred house bill No. 50, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 59, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

Mr. Watts offered the following:  
Amend house bill No. 59 (printed bill):

AMENDMENT.

In section 1, line 2, strike out the words "Second Monday of September," and insert "fourth Monday in August" and number sections 1 and 2.

On motion of Mr. Watts, the foregoing amendment was adopted.

On motion of Mr. Barin, house bill No. 59 was ordered to a third reading to-morrow.

On motion of Mr. Carson, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

WEDNESDAY, JANUARY 30, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present.

On motion of Mr. Cogswell, the reading of the journal of yesterday was dispensed with.

The President announced that he was about to sign senate joint memorial No. 1 and senate joint memorial No. 2, and shortly afterwards stated that he had signed the same.

The President submitted the following communication from the Secretary of State, and also the veto message of His Excellency, Governor Pennoyer, of senate bill No. 59, passed at the fourteenth biennial session of the legislative assembly of this State, together with said bill.

#### COMMUNICATION FROM THE SECRETARY OF STATE.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
January 29, 1889. }

*To the Honorable, the Senate of the State of Oregon :*

I have the honor herewith to return to your honorable body senate bill No. 59 of the fourteenth biennial session of the legislative assembly of the State of Oregon, which bill was duly passed by both houses of said legislative assembly, and was filed in this office by the Governor, with his objections thereto, after the adjournment of said assembly.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

#### VETO MESSAGE.

STATE OF OREGON, }  
EXECUTIVE DEPARTMENT, }  
SALEM, February 23, 1887. }

*To the Honorable the Senate of the State of Oregon :*

I herewith return senate bill No. 59 with my disapproval. This bill for "An Act to Increase the Efficiency of our Common Schools," provides in the first section that "every parent, guardian or other person having control or charge of a child or children between the ages of eight and fourteen years, shall be required to send such child or children to a public school for a period of at least twelve weeks in each school year, unless such child or children are excused from such attendance by the board of directors;" and section three provides that "any parents, guardians or other persons having control of any child or children failing to comply with the provisions of this Act, shall be liable to a fine of not less than five dollars nor

more than twenty-five dollars for the first offense, nor less than twenty-five dollars nor more than fifty dollars for the second and each subsequent offense, besides the costs of prosecution;" and in the second section the directors are empowered to "commence proceedings in the name of the district for the recovery of the fine."

The State has now a commendable system of free schools, but in case this bill should become a law the people of this State would not be a free people. The people of this State are taxed to support the public schools, and this tax is paid cheerfully, but they now have the right to send their children to any private school if they desire to do so, without being questioned by any one or without being compelled to get an "excuse" from "the board of school directors." Our constitution expressly provides that "no law shall in any case interfere with the right of conscience," and therefore if it is a matter of conscience in any individual to pay his tax for the support of public schools, and at the same time pay his children's tuition at a private school, he has an undoubted right so to do without being questioned by the "board of directors" or any other person. This bill infringes upon a right which the parents of this State have always heretofore enjoyed, and it clothes the board of school directors with a power of espionage and supervision over domestic affairs which partakes more of the characteristics of a monarchial than a free government. I therefore, as required by the constitution, file this bill with my disapproval in the office of the Secretary of State this, the 23d day of February, 1887.

SYLVESTER PENNOYER,  
Governor.

Senate bill No. 59 of the session of 1887 accompanying the foregoing veto message, being a bill "For an Act to increase the efficiency of our common schools," being now before the senate, Mr. Tongue moved that senate bill No. 59 of 1887, together with the veto message, be ordered printed.

Which motion prevailed and it was so ordered.

The President appointed on the joint committee to examine into the affairs of the fish commission, pursuant to house joint resolution No. 2, Messrs. Sinclair and Gray.

Mr. Gray asked unanimous consent to introduce a bill.

No objections being made, Mr. Gray moved that the rules be suspended to permit him to introduce senate bill No. 116.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley,



Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Chandler.

So the rules were suspended and Mr. Gray introduced senate bill No. 116, being a bill for an Act to authorize Astoria & South Coast Railway Company to construct a bridge across Skipanon creek in the county of Clatsop and State of Oregon.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chandler and Eakin—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Barin, chairman of the judiciary committee, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate joint resolution No. 1, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be adopted, with the following amendment:

#### AMENDMENT.

Strike out the words "and directed" after the word "authorized," in line seventeen of the original resolution, and add the following after the word "session," at the end of line eleven, page three, of the original resolution: "*provided*, that no expense be entailed upon the State thereby except the necessary publishing of the report herein provided for."

L. T. BARIN,  
Chairman.

Mr. Barin moved to adopted the foregoing amendments.

Which motion prevailed.

Mr. Barin moved to adopt senate joint resolution No. 1.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So senate joint resolution No. 1 was declared adopted.

Mr. Fullerton moved that the vote by which senate bill No. 79 was on yesterday ordered engrossed for a third reading to-day be reconsidered.

Which motion prevailed.

Mr. Cogswell moved to amend said bill by striking out all of the bill after the enacting clause and substituting therefor the following:

Section 1. That section 2327 of chapter X of volume 2 of the laws of this State, known as Hill's Annotated Laws of Oregon, relating to terms of the supreme court, be and it is hereby amended so as to read as follows, to-wit:

Sec. 2327. The terms of the supreme court shall be held annually, as follows: At Salem on the first Monday of September, at Jacksonville on the first Monday of February, and at Pendleton on the first Monday of June.

Section 2. The following named counties shall compose the southern supreme court district, to-wit: Jackson, Josephine, Douglas, Coos, Curry, Lake and Klamath, and all cases appealed from either of said counties shall be tried at Jacksonville.

Section 3. The following named counties shall compose the western supreme court district, to-wit: Marion, Lane, Linn, Benton, Polk, Tillamook, Yamhill, Washington, Multnomah, Clackamas, Columbia and Clatsop, and all cases appealed from either of said counties shall be tried at Salem.

Section 4. The following named counties shall compose the eastern supreme court district, to-wit: Umatilla, Wasco, Crook, Gilliam, Baker, Morrow, Grant, Wallowa, Union and Malheur, and all cases appealed from either of said counties shall be tried at Pendleton.

Section 5. All transcripts and records in cases appealed to said court shall be filed in said court by the second day of the first term of said court, held in the supreme court district, from which such

cases have respectively been appealed, after the perfection of such appeals; but the court shall have power, as heretofore, to extend the time for filing such transcripts and records. All transcripts and records on appeal may be filed by the clerk of said court, either at Salem or at the places where the cases appealed are respectively triable; but when any transcripts or papers in cases triable at Jacksonville or at Pendleton are filed at Salem, the clerk shall, at the proper time, forward them to the places where such cases are triable.

Section 6. The supreme court in term time, or the Judges thereof in vacation may, in their discretion, transfer any criminal case from one supreme court district to another for trial, and at the written request of both parties thereto, any civil case may, in like manner, be so transferred.

Section 7. The court shall hold its terms at Jacksonville and Pendleton, in the county court houses at those places, if suitable rooms for that purpose can be had there, and said counties shall not charge any rent for such rooms. In case, for any reason, proper rooms can not be had in said court houses at any time, the court shall have the right temporarily to lease proper rooms, and the expense thereof shall be audited and paid as other expenses of said court are audited and paid.

Section 8. The clerk of said court shall have an office open at Jacksonville and at Pendleton during the sessions of said court at those places and for ten days prior to the beginning of each session there, and may be there either in person or by deputy. Excepting during terms of said court elsewhere and for ten days prior to each of said terms, the records and files of said court shall be kept at the office at Salem. Before the beginning of any term at Jacksonville or at Pendleton, the records and papers pertaining to the business of such terms shall be forwarded by the clerk to the places where such terms are to be held.

Section 9. This Act shall not apply to or affect any case in which the appeal shall have been perfected before the first Monday of March, 1889; and the March term of said court for 1889 shall be held at Salem the same as if this Act had not been passed.

Section 10. For the purpose of reimbursing the judges of the supreme court for expenses incident to the performance of their duties under this Act, they are hereby allowed, in addition to their salaries, the sum of fifteen hundred dollars each, annually, payable quarterly.

Section 11. Inasmuch as there is need of a term of the supreme court at Pendleton without delay, this Act shall take effect from the date of its approval by the Governor.

Mr. Chandler moved to amend Mr. Cogswell's amendment by

striking out the word "Pendleton" wherever it occurs in the bill and inserting in lieu thereof the words "Baker City."

Mr. Tongue now moved to re-refer the bill with amendments to the committee on judiciary.

Which motion was lost.

Mr. Chandler now moved to adopt his amendment.

Which motion failed to prevail.

Mr. Sinclair moved to amend Mr. Cogswell's amendment by substituting "Grant's Pass" for "Jacksonville," Jackson county, and strike out Coos and Curry counties, and amend section 2 by striking out Coos and Curry in 2d line, and in section 3 add Coos and Curry in line 3.

Which motion prevailed.

The question now recurring on the adoption of Mr. Cogswell's amendment as amended, the senate refused to adopt the same.

Mr. Hamilton now moved to reconsider the vote by which the amendment offered by Mr. Wager, striking out of senate bill No. 79 in section 6 the words "\$1,000," and inserting in lieu thereof "\$1,500," was lost.

On this question the ayes and nays were called for by Messrs. Cogswell, Tongue, Dimick and Barin.

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, Wait, and Mr. President—18.

Nays—Messrs. Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Irvine, Looney, Tongue, Veatch, Watkins, and Watts—12.

Absent—None.

So the vote was declared reconsidered.

The question now recurring on the adoption of the amendment offered by Mr. Wager, the ayes and nays were called for by Messrs. Tongue, Dimick and Eakin.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, and Mr. President—16.

Nays—Messrs. Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Irvine, Looney, Tongue, Veatch, Wait, Watkins and Watts—13.

Absent—Mr. Chandler.

So Mr. Wager's amendment to senate bill No. 79 was declared adopted.

On motion of Mr. Fullerton, the bill was ordered engrossed for a third reading to-morrow.

Mr. Moore, chairman of the committee on elections, submitted the following:

**REPORT.**

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 19, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

**FIRST AMENDMENT.**

In section 2 in line 46 of printed bill strike out the word "three" and insert the word "two."

**SECOND AMENDMENT.**

Between the lines 46 and 47 insert the following: The county of Wallowa shall constitute the twenty-third Representative district, and shall be entitled to one Representative.

**THIRD AMENDMENT.**

In line 47 strike out the word "twenty-third" and insert the word "twenty-fourth."

**FOURTH AMENDMENT.**

In line 49 strike out the word "twenty-fourth" and insert the word "twenty-fifth."

**FIFTH AMENDMENT.**

In line 51 strike out the word "twenty-fifth" and insert the word "twenty-sixth."

**SIXTH AMENDMENT.**

In line 53 strike out the word "twenty-sixth" and insert the word "twenty-seventh."

Mr. Watts, chairman of the committee on corporations, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 51, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, senate bill No. 51 was indefinitely postponed.

Mr. Watts, chairman of the committee on corporations, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 62, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with this amendment:

AMENDMENT.

In section 3, line 2, printed bill, after the word "receive" add the words "such sum as the county court of Klamath county shall fix, not to exceed."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendment was adopted.  
On motion of Mr. Watts, senate bill No. 62 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on corporations, to whom was referred senate bill No. 35, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, senate bill No. 35 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on corporations, to whom was referred senate bill No. 15, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

## AMENDMENT.

In printed bill, section 4, line 9, strike out the words "ten days" and insert instead thereof the words "one day."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendment was adopted.  
On motion of Mr. Watts, senate bill No. 15 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred house bill No. 17, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, house bill No. 17 was ordered to a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 67, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, senate bill No. 67 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 66, beg leave to report that they have the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:



## AMENDMENT.

In printed bill, section 1, line 18, strike out the word "two" and insert instead thereof the word "five."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendment was adopted,  
On motion of Mr. Watts, senate bill No. 66 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 61, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the committee on railroads.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the report was adopted.

So the bill was referred to the committee on railroads.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 11, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

In printed bill, section 2, lines 3 and 4, strike out the words "Such capital stock shall be divided into shares of one hundred dollars each."

## SECOND AMENDMENT.

Section 4, lines 1 and 2, strike out the words "surrogates court or orphans' court."

## THIRD AMENDMENT.

Amend the title by striking out the word "and" between the words "deposit and trust." Also after the word "companies" add the words "or other corporation."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendments were adopted.

On motion of Mr. Watts, senate bill No. 11 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Steel, the senate adjourned.

## AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 1, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, senate bill No. 1 was ordered engrossed for a third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 65, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, senate bill No. 65 was ordered engrossed for a third reading to-morrow.

Mr. Fullerton, chairman of the committee on public lands, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on public lands, to whom was referred senate joint memorial No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be adopted.

J. C. FULLERTON,  
Chairman.

Senate joint memorial No. 4 was read and Mr. Fullerton moved to adopt the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Dawson.

So senate joint memorial No. 4 was declared adopted.

Mr. Mackay, chairman of the committee on federal relations, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on federal relations, to whom was referred house joint memorial No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the senate concur.

DONALD MACKAY,  
Chairman.

House joint memorial No. 4 was read and Mr. Mackay moved to concur in the same.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So house joint memorial No. 4 was declared concurred in.

Mr. Chamberlin, chairman of the committee on public buildings, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President :*

Your committee on public buildings, to whom was referred senate bill No. 71, beg leave to report that they have had the same under consideration, and would respectfully report senate bill No. 117 as a substitute therefor.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Chamberlin, the foregoing report was adopted. Mr. Chamberlin moved that the rules be suspended and the pro-

posed substitute for senate bill No. 71 be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Chamberlin, Dimick, Eakin, Looney, Tongue and Watts—6.

Absent—Messrs. Barin and Carson—2.

So the rules were suspended and the substitute read first time by title.

Mr. Chamberlin now moved that senate bill No. 117, reported by the committee on public buildings, being a bill for an Act to establish a reform school for juvenile offenders, be substituted for senate bill No. 71.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So senate bill No. 117 as reported by the committee on public buildings was made a substitute for senate bill No. 71, and by unanimous consent the bill was ordered printed and further consideration of the same was postponed until its return from the Printer.

On motion of Mr. Chamberlin, the further consideration of senate bill No. 71 was indefinitely postponed.

Mr. Chamberlin, chairman of the committee on public buildings, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on public buildings, to whom was referred senate bill No. 28, beg leave to report that they have had the same

under consideration, and would respectfully report it back to the senate without recommendation.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Dawson, senate bill No. 28 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. W. NORVAL,  
Chairman.

On motion of Mr. Chamberlin, further consideration of senate bill No. 45 was indefinitely postponed.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No 9, recommend that the following sections numbered 2 and 3 be added to said bill, and as follows:

"Section 2. That the county commissioners in each county shall meet for the transaction of county business on the Wednesday next following the first day of each term of court."

"Section 3. Inasmuch as it is necessary that a term of said court be held in Klamath county on the first Monday of May, 1889, this Act shall take effect and be in force from and after its approval by the Governor."

And your committee beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass as amended.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the foregoing amendments were adopted.

On motion of Mr. Norval, senate bill No. 9 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 63, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the senate committee on commerce.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 63 was referred to the committee on commerce.

Mr. Fullerton moved that the rules be suspended and the committee on commerce be granted leave to report at any time on senate bill No. 63.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, and Mr. President—25.

Nays—Messrs. Carson, Eakin, Gray, Wager and Watts—5.

Absent—None.

So the rules were suspended and said committee granted leave to report on senate bill No. 63 at any time.

Mr. Norval, chairman of the committee on counties, submitted the following:

under consideration, and would respectfully report it back to the senate without recommendation.

M. L. CHAMBERLIN,  
Chairman.

On motion of Mr. Dawson, senate bill No. 28 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 45, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. W. NORVAL,  
Chairman.

On motion of Mr. Chamberlin, further consideration of senate bill No. 45 was indefinitely postponed.

Mr. Norval, chairman of the committee on counties, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No 9, recommend that the following sections numbered 2 and 3 be added to said bill, and as follows:

"Section 2. That the county commissioners in each county shall meet for the transaction of county business on the Wednesday next following the first day of each term of court."

"Section 3. Inasmuch as it is necessary that a term of said court be held in Klamath county on the first Monday of May, 1889, this Act shall take effect and be in force from and after its approval by the Governor."



And your committee beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass as amended.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the foregoing amendments were adopted.

On motion of Mr. Norval, senate bill No. 9 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 63, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the senate committee on commerce.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 63 was referred to the committee on commerce.

Mr. Fullerton moved that the rules be suspended and the committee on commerce be granted leave to report at any time on senate bill No. 63.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, and Mr. President—25.

Nays—Messrs. Carson, Eakin, Gray, Wager and Watts—5.

Absent—None.

So the rules were suspended and said committee granted leave to report on senate bill No. 63 at any time.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 28, 1889. }

*Mr. President :*

Your committee on counties, to whom was referred house bill No. 28, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, house bill No. 28 was ordered passed to a third reading to-morrow.

Mr. Dinick, chairman of the committee on military affairs, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President :*

Your committee on military affairs, to whom was referred senate bill No. 50, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. DIMICK,  
Chairman.

On motion of Mr. Dimick, senate bill No. 50 was ordered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on commerce, to whom was referred senate bill No. 59, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. H. D. GRAY,  
Chairman.

Mr. Cogswell moved the rules be suspended and senate bill No. 59 be considered engrossed and read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the bill was considered engrossed and read the third time.

The question being, "Shall the bill pass?" Mr. Wager moved to refer senate bill No. 59 to the Senators from Crook, Klamath and Lake, with instructions to strike out section 11.

Which motion prevailed.

Mr. Barin moved to suspend the rules for the purpose of granting the Senator from Crook, Klamath and Lake leave to report senate bill No. 59 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—Mr. Veatch.

Absent—None.

So the rules were suspended and leave granted the Senator from Crook, Klamath and Lake to report at any time.

The special committee consisting of the Senator from Crook, Klamath and Lake reported back senate bill No. 59 amended as instructed for further consideration.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley,

Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Irvine, Looney, Watts and Veatch—8.

Absent—None.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

On motion of Mr. Wager, the vote by which senate bill No. 79 was ordered engrossed was reconsidered.

Mr. Wager now presented the following

#### MOTION.

I move that senate bill No. 79 be amended as follows: In line 1 of section 6 of the printed bill, strike out the words "labor and service" and insert in lieu thereof the words "expense incurred in their duties."

Which motion prevailed.

On motion of Mr. Wager, senate bill No. 79, with above amendment, was ordered engrossed for a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your special committee on education, to whom was referred senate bill No. 32, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### FIRST AMENDMENT.

Strike out all of section 1 after the word "qualified," in line 13 of printed bill.

#### SECOND AMENDMENT.

Strike out all after the word "therein," in line 20, to and including line 23 in section 6 of printed bill.

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the foregoing amendments were adopted.

On motion of Mr. Hatch, senate bill No. 32 was ordered engrossed for a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on education, to whom was referred senate bill No. 38, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### FIRST AMENDMENT.

In line 1 of section 3 of the printed bill after the word "have" insert the word "concurrent."

#### SECOND AMENDMENT.

In the same line after the word "jurisdiction" insert the words "with the circuit court."

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the foregoing amendments were adopted.

On motion of Mr. Hatch, senate bill No. 38 was ordered engrossed for a third reading to-morrow.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on engrossed bills respectfully report senate bills Nos. 8 and 48 correctly engrossed.

S. A. DAWSON,  
Chairman.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on engrossed bills respectfully report senate bills Nos. 20, 31, 42, and 57 correctly engrossed.

S. A. DAWSON,  
Chairman.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President :*

Your committee on enrolled bills respectfully report senate bill No. 54 correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Eakin, chairman of the committee on assessments, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President :*

Your committee on assessments, to whom was referred senate bill No. 23, beg leave to report that they have had the same under consideration, and would respectfully report it back to the Senate with the following amendments:

FIRST AMENDMENT.

Strike out all beginning with the word "whereas" in first line of printed bill and ending with the word "and" in line six.

## SECOND AMENDMENT.

Strike out all beginning with the word "and" following the sum "\$1,157.72" in line twelve and ending with the word "aforesaid" in line thirteen.

## THIRD AMENDMENT.

Strike out the word "sums" in line three of section 1, and insert the word "sum" in lieu thereof.

## FOURTH AMENDMENT.

Strike out all beginning with the word "and" in line three of section 1 of printed bill and ending with the sum "\$8,660.12" in line four of said section.

The bill as amended is herewith reported back to the senate without recommendation.

S. B. EAKIN. JR.,  
Chairman.

On motion of Mr. Eakin, the foregoing amendments were adopted.

On motion of Mr. Eakin, senate bill No. 23 was ordered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on assessments, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 23, 1889. }

*Mr. President :*

Your committee on assessments, to whom was referred senate bill No. 7, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

## AMENDMENT.

Strike out the word "five" in line 1 of section 1 of printed bill, and insert in lieu thereof the word "seven."

S. B. EAKIN JR.,  
Chairman.

On motion of Mr. Eakin, the foregoing amendment was adopted.

On motion of Mr. Eakin, senate bill No. 7 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM Oregon,  
January 30, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bills Nos. 49 and 58, beg leave to report that they have had the same under consideration and would respectfully report that they have substituted the bill herewith submitted to the senate and recommend that it be adopted.

J. B. LOONEY,  
Chairman,

On motion of Mr. Looney, the foregoing report was adopted.

The substitute reported by the committee on agriculture for senate bills Nos. 49 and 58 was introduced as senate bill No. 118, a bill for an Act to amend sections 3350, 3351, 3353, 3354 and 3352, and to repeal sections 3359 and 3360 of title I, chapter XXXVIII, miscellaneous laws of Oregon, as compiled by W. Lair Hill.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Dimick—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

On motion of Mr. Looney, the further consideration of senate bill 49 and senate bill 58 was indefinitely postponed.

Mr. Looney, chairman of the committee on agriculture, submitted the following



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it not pass.

J. B. LOONEY,  
Chairman.

Mr. Fullerton moved that senate bill No. 3 be ordered engrossed for a third reading to-morrow.

Which motion prevailed.

Mr. Chamberlin introduced the following resolution :

## SENATE CONCURRENT RESOLUTION NO. 8.

*Be it enacted by the Senate, the House concurring :*

That the two houses meet in joint convention Tuesday evening, February 5, 1889, at half-past seven o'clock for the purpose of hearing the addresses of Hon. John Minto and His Excellency Governor Penoyer, upon the presentation of the oil painting of Dr. McLoughlin to the State of Oregon, and its acceptance by the State.

On motion of Mr. Chamberlin, senate concurrent resolution No. 8 was adopted.

Mr. Fullerton, chairman of the special committee composed of the Senators from the second judicial district, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President :*

Your special committee, being the Senators of the second judicial district, to whom was referred senate bill No. 53, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

On motion of Mr. Eakin, senate bill No. 7 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM Oregon,  
January 30, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bills Nos. 49 and 58, beg leave to report that they have had the same under consideration and would respectfully report that they have substituted the bill herewith submitted to the senate and recommend that it be adopted.

J. B. LOONEY,  
Chairman,

On motion of Mr. Looney, the foregoing report was adopted.

The substitute reported by the committee on agriculture for senate bills Nos. 49 and 58 was introduced as senate bill No. 118, a bill for an Act to amend sections 3350, 3351, 3353, 3354 and 3352, and to repeal sections 3359 and 3360 of title I, chapter XXXVIII, miscellaneous laws of Oregon, as compiled by W. Lair Hill.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Dimick—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

On motion of Mr. Looney, the further consideration of senate bill 49 and senate bill 58 was indefinitely postponed.

Mr. Looney, chairman of the committee on agriculture, submitted the following

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it not pass.

J. B. LOONEY,  
Chairman.

Mr. Fullerton moved that senate bill No. 3 be ordered engrossed for a third reading to-morrow.

Which motion prevailed.

Mr. Chamberlin introduced the following resolution :

## SENATE CONCURRENT RESOLUTION NO. 8.

*Be it enacted by the Senate, the House concurring :*

That the two houses meet in joint convention Tuesday evening, February 5, 1889, at half-past seven o'clock for the purpose of hearing the addresses of Hon. John Minto and His Excellency Governor Pennoyer, upon the presentation of the oil painting of Dr. McLoughlin to the State of Oregon, and its acceptance by the State.

On motion of Mr. Chamberlin, senate concurrent resolution No. 8 was adopted.

Mr. Fullerton, chairman of the special committee composed of the Senators from the second judicial district, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President :*

Your special committee, being the Senators of the second judicial district, to whom was referred senate bill No. 53, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

## FIRST AMENDMENT.

By striking out section 1 and inserting in lieu thereof the following: Section 1. That from and after the first day of August, 1889, the terms of the circuit court in the several counties of the second judicial district shall be held annually as follows: In the county of Benton on the second Monday in April and second Monday in November; in the county of Douglas on the third Monday in March, fourth Monday in June, and first Monday in December; in the county of Lane on the first Monday in March, second Monday in June, and fourth Monday in October; in the county of Coos on the first Monday in May, and first Monday in October; in the county of Curry on the third Monday in September.

## SECOND AMENDMENT.

By inserting the following additional words to section 2: *provided*, that until August 1, 1889, the circuit court in the several counties of said district shall be held at the times and places now provided by law, except in the county of Curry, and the next term of court in that county shall be held as provided in this Act.

## THIRD AMENDMENT.

By striking out all of section 3.

J. C. FULLERTON,  
Chairman.

On motion of Mr. Fullerton, the foregoing amendments were adopted:

On motion of Mr. Fullerton, senate bill No. 53 was ordered engrossed for a third reading to-morrow.

Mr. Hilton, chairman of the special committee consisting of the Senators from Wasco and Gilliam counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 29, 1889. }

*Mr. President:*

Your special committee, consisting of the Senators from Wasco and Gilliam counties, to whom was referred senate bill No. 69, beg

leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment, to-wit:

AMENDMENT.

After the word "Act" in line 32 of page 2, insert the words: "*and provided further*, that said bonds shall not be subject to taxation for any purpose."

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, the foregoing amendments were adopted.

On motion of Mr. Hilton, senate bill No. 69 was ordered engrossed for a third reading to-morrow.

Mr. Hilton, chairman of the special committee on senate bill No. 70, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your special committee, composed of the Senators from Wasco and Wasco and Gilliam, to whom was referred senate bill No. 70, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

CHAS. HILTON,  
Chairman.

On motion of Mr. Hilton, senate bill No. 70 was ordered engrossed for a third reading to-morrow.

Mr. Chamberlin, chairman of the special joint committee to make all necessary arrangements for the acceptance of the oil painting of Dr. McLoughlin, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

The special joint committee of the two houses, to whom was referred the communication of the secretary of the Oregon pioneer

society relating to the presentation of the oil painting of Dr. McLoughlin to the State of Oregon, and to make necessary arrangements therefor, would recommend that the following programme be adopted and carried out:

#### PROGRAMME.

First—That the two houses meet in joint convention on Tuesday evening, February 5, 1889, at 7:30 o'clock.

Second—That Hon. John Minto of Salem, representing the pioneer society, make the presentation address.

Third—That His Excellency, Governor Pennoyer, on behalf of the State, address of acceptance.

Fourth—Adjourn.

M. L. CHAMBERLIN,  
Committee.

On motion of Mr. Chamberlin, the foregoing report was adopted.  
On motion of Mr. Hatch, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

THURSDAY, JANUARY 31, 1889.

#### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Veatch and Wait.

Prayer was offered by Rev. Tower of Salem.

The journal of yesterday was read and approved.

The President laid before the senate a communication from the chief engineer of the Salem fire department.

## COMMUNICATION.

SALEM, Oregon, }  
January 30, 1889. }

*To the Senate and House of Representatives—*

GENTLEMEN: Permit me to call your attention to the very dangerous condition of the State house at the present time. It has been demonstrated beyond a doubt by the National association of chief engineers wherever electric light wires are run into garrets, behind partitions and under floors is a dangerous piece of business, notwithstanding what electric light owners or electric light manufacturers may say to the contrary. I would most respectfully urge your honorable body to cause all such wires to be removed to a safe location.

Most respectfully yours,

C. N. CHURCHILL,  
Chief Engineer Salem Fire Department.

Mr. Dimick introduced the following resolution :

## SENATE RESOLUTION NO. 22.

*Resolved by the Senate,* That the communication from the chief engineer of the Salem fire department relating to the dangerous condition of the State house be referred to the committee on public buildings, and that such committee be instructed to investigate the subject referred to in said communication and report the result of such investigation to the senate as early as practicable, and that said committee be authorized to send for persons and papers, examine witnesses and administer oaths.

On motion of Mr. Dimick, senate resolution No. 22 was adopted.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 60 has been reported correctly enrolled and has been signed by the Speaker.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The president announced that he was about to sign house bill No. 60, and afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 54.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 54, and afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 30, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate joint memorial No. 4.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

Senate joint memorial No. 4 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 5, relating to creating a department of agriculture and making the head thereof a cabinet officer.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.



The resolution accompanying the foregoing message was read, and on motion of Mr. Wager, house joint resolution No. 5 was referred to the committee on federal relations.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 45, to repeal section 617 of an Act entitled an Act to provide a code of criminal procedure and to define crimes and their punishment approved October 19, 1864.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 45, being a bill for an Act to repeal section 617 of an Act entitled an Act to provide a code of criminal procedure, etc., accompanying the foregoing message, was read a first time and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 29, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 109, to amend an Act to establish a paid fire department in the city of Portland.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 109 accompanying the foregoing message was read the first time, and passed to a second reading without a question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 30, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 8, providing for a joint convention to accept the picture of Dr. McLoughlin.

And the same is herewith transmitted to you.

J. T. GREGG,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house joint resolution No. 7, house bill No. 14, house joint memorial No. 9, house joint memorial No. 4, house joint resolution No. 2, house joint memorial No. 5 have been correctly enrolled and that he has signed them.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign house joint memorial No. 4, house joint memorial No. 9, house joint resolution No. 7, house joint resolution No. 2, house joint memorial No. 5 and house bill No. 14, and afterwards stated that he had signed them.

Mr. Moore, of the special committee on senate bill No. 72, submitted the following:

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 January 31, 1889. }

*Mr. President:*

Your special committee consisting of members from the counties of Benton, Clackamas, Clatsop, Douglas, Linn, Multnomah, Polk, Columbia and Washington, to whom was referred senate bill No. 72,

beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

S. A. DAWSON,  
R. A. IRVINE,  
L. T. BARIN,  
THOS. H. TONGUE,  
T. E. CAUTHORN,  
F. A. MOORE,  
J. C. CARSON,  
DONALD MACKAY,  
E. T. HATCH,  
J. C. FULLERTON,  
J. H. D. GRAY,  
J. K. WAIT,  
JOSEPH SIMON.

On motion of Mr. Moore, the further consideration of senate bill No. 72 was indefinitely postponed.

Mr. Veatch, on the part of the joint committee to examine into the affairs of the State agricultural college at Corvallis, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*To the Honorable President of the Senate:*

We, your joint committee to visit and investigate the condition, workings and requirements of the State agricultural college at Corvallis, beg leave to submit the following report:

We spent two entire days inspecting the new building presented the State by the citizens of Benton county, and also the site and surroundings of the same. One entire day was consumed in attending the different departments of the college and listening to the critical and elaborate recitations in each of them.

After careful and extended examinations of the different features of the school, as now located and conducted, your committee is of the opinion that too much cannot be said in its praise, nor of the amount of practical good it is possible for it to accomplish for the agricultural interests of the State. Certainly no good reason could be urged against a reasonable appropriation from the State treasury in furthering the usefulness of this college, were it not for the claim against its prosperity by the "Southern Methodist church."

It is an unfortunate condition of affairs that there should be even a semblance of doubt as to the title of the State to its own property, and that doubt exists only in the supposition that a religious denomination has or is about to obtain possession of not only a magnificent fund arising from the proceeds of sales of 90,000 acres of land given the State by the General Government as an irreducible fund, but of an \$15,000 annual appropriation from the National treasury and of \$40,000 worth of land and buildings given to the State for the agricultural college by the citizens of Corvallis and Benton county.

For the possession of this property or these funds the Southern Methodist church has never given one cent. During the last twenty years that church has received from these various sources nearly \$100,000, and the State has not to-day one dollar in either land or buildings to show for it.

That the church has not only been uninjured by its past union with the State, but has been directly benefited, is conclusively shown by the fact that since State aid has been withdrawn the Corvallis college has dwindled to a mere handful of students and is on the downward road to certain decay. It was a mere beneficiary of the State, depending on the State treasury for support, and when denied that aid it sues indirectly for possession of 90,000 acres of land granted the State by the General Government in trust forever; \$15,000 granted the State agricultural college directly from the National treasury, and all the surplus money the people of Benton county have been able to raise for the college for the past five years.

A desire to possess the earth has sometimes cropped out here and there during the past few years, but this is the first instance on record where a religious denomination has indicated a desire in that direction and pursued it with a relentless persistency as studied as it is shameful.

In its complaint in the circuit court of Benton county, *that* church alleges, among other things, that it has been injured by the denial of State aid, in that its usefulness in spreading the "Christian religion" has been impaired. That is in terms an admission by that church that a sum not far below \$100,000 has been drawn from the State treasury for sectarian purposes, in direct violation of the State constitution and of the law of congress making the original land grant for the support of the agricultural college. It is plainly the duty of the State now boldly to come to the rescue of the agricultural college and assert its right in the matter, or, in order to pursue exact impartiality, expend a few

hundred thousand dollars in support of other denominations for the purpose of spreading the "Christian religion."

If the State cannot afford to be just as between the State agricultural college and the "Methodist Church South," it at least should pursue a course that will show no partiality as between churches. There can be no mistake about this whatever.

During the twenty years the Methodist Church South has been managing the agricultural college, so little has been taught or accomplished that was of perpetual benefit to the farmers, that the agricultural community has come to regard the institution as little more than a farce. It has, in fact, differed little, if any, from any other school in which the higher branches of education were taught. Students having received no practical instruction concerning agricultural matters, naturally drifted from the farm as would a graduate of a law school. Indeed, it is called to mind now, that a few years ago the students of the agricultural college were required, in order to qualify themselves for a full understanding of farm work, to graduate in "kinetics" and "kinematics," a species of stock not grown in the civilized world, perhaps outside of the Sandwich Islands. It was in those days that the prejudice arose among the farmers against the agricultural college, that years of an improved course of study will but slowly eradicate.

It is the great desire of this committee, however, to impress upon this body, the fact that all this is changed, and that every effort of the present board and faculty is bent towards making the college a means of imparting useful and practical knowledge to the farmers of Oregon.

For the purpose of assuring success in this most important branch of the subject, the Federal Government has again kindly come to our rescue and made an annual appropriation of \$15,000 to be used for experimental purposes.

An argument in support of the great importance of such an undertaking to the farmers of Oregon ought to be, and this committee assumes is wholly unnecessary. Perhaps there is not a farmer in Oregon who has not often felt the great necessity of making experiments in the various branches of his vocation, but has been prevented from doing so by his limited means, or other causes beyond his control. Success in most branches of agriculture often depends on intelligent experiments, which few farmers have neither the time nor means to pursue. It is to meet this long felt want that the General Government has made ample provisions for an indefinite period of time, save and except the land on which to perform them.

Surely after the people of Benton county on the one hand, and the General Government on the other, are insisting that the great

agricultural State of Oregon shall do something for itself in a line of work that interests and helps its greatest industry, and offer to bear the greater share of the pecuniary burden, the State itself cannot afford to be either niggardly or hesitating in the matter. If the State will not help itself when every outside aid has been extended, then the farmers may well abandon all hope of friendly legislation on a subject affecting them individually and as a class.

The objection heretofore urged against the agricultural college, that its course of study was wholly impracticable, was undoubtedly well formed, but such objection has been entirely expelled, first, by the reorganization and enlargement of the board and faculty which is now deeply in earnest and in hearty sympathy with the practical farmers, and second, by the annual appropriation of \$15,000 by the General Government to bear the expense of supporting experimental stations.

The committee assumes that further argument is entirely unnecessary, with a legislature composed largely of farmers, to justify a recommendation of the purchase of a farm of 200 acres of land, upon which to establish an experimental station, in accordance with the provision of the "Hatch Act."

Such a farm can be obtained, near enough to the building and land donated already, for all practical purposes, for the sum of \$65.00 per acre. This land can be purchased for this sum any time before March 1, next, and a clear title given to the State. Your committee heartily recommend an appropriation sufficiently large to purchase this land, and an additional sum of \$5,000 with which to construct a dormitory for the use of students and faculty. The regents of the college ask for a sum aggregating nearly \$40,000, and while your committee are of the opinion that such a sum is necessary and just, it is thought best to keep within bounds to which no objection can be reasonably urged.

The object of the "Hatch Act" is to establish experimental stations in different portions of the State in order to illustrate the capacity of our great variety of soil, climate and other features characteristic of agriculture, and these provisions should be vigorously supported by legislative aid as fast as circumstances will permit. The present institution is worthy of all support, and your committee cannot too highly eulogize its board and faculty, nor its undoubted desire to assist the farmers of the State, and its certain ability to do so.

In conclusion, your committee desires to say that, in its opinion, suitable provision should be made at no distant day for a complete observance of the objects of the "Hatch Act" by establishing branch experimental stations in Eastern and Southern Oregon. The expenses to be incurred in these matters has been mostly met by the

General Government, and the advantages to be thus derived should be enjoyed by all portions of the State alike as fast as they can be reached. It would not, in our opinion, be good policy to further provide for the improvement of the property now owned by the State and claimed by the "Methodist Church South," however unjust that claim undoubtedly is. That the suit now pending can result other than favorably to the State, no one can reasonably anticipate, because certainly a State court could never transfer an irreducible fund given to the State by the General Government in trust, for a specific purpose, to a sectarian church for the confessed purpose of "spreading the Christian religion."

But the purchase of a farm on which to carry out the provisions of the "Hatch Act" is another question, and your committee cheerfully recommend the appropriation heretofore mentioned as a great stride toward a proper development of our great agricultural interests.

Respectfully submitted,

R. M. VEATCH,  
E. T. HATCH,  
T. T. GEER,  
H. P. NAPTON,  
R. R. LAUGHLIN.

On motion of Mr. Tongue, it was ordered that 1,000 copies of the foregoing report be printed, and that consideration of the same be postponed until after its return from the Printer.

Mr. Wait introduced the following resolution:

SENATE RESOLUTION NO. 23.

*Resolved*, That the Sergeant-at-Arms be instructed to furnish each Senator with a copy of the map of the State of Oregon upon which the county lines are well defined.

On motion of Mr. Wait, senate resolution No. 23 was adopted.

Mr. Cogswell introduced the following resolution:

SENATE JOINT RESOLUTION NO. 4.

*Be it resolved by the Senate, the House of Representatives concurring:*

That the following amendment to the constitution of the State of Oregon be and is hereby proposed:

That section 2 of Article II of the constitution of the State of Oregon be and the same is hereby abrogated, and in lieu thereof section 2 of article II shall be as follows:



## ARTICLE II.

Section 2. In all elections not otherwise provided for by this constitution, every male citizen of the United States, of the age of twenty-one years and upwards, who shall have resided in the State during the six months immediately preceding such election, shall be entitled to vote at all elections authorized by law.

Senate joint resolution No. 4 was ordered printed.

## INTRODUCTION AND FIRST READING OF SENATE BILLS.

Mr. Carson introduced senate bill No. 119, being a bill for an Act to incorporate the city of Albina.

Mr. Carson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Raley, Stanley, Veatch and Wager—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson introduced senate bill No. 120, being a bill for an Act to amend the charter of the city of Portland.

Mr. Carson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Veatch.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson introduced senate bill No. 121, being a bill for an Act to establish a State board of immigration and to appropriate money therefor.



Mr. Carson moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Veatch and Wager—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore introduced senate bill No. 122, being a bill for an Act to create a jury commission, to define their duties and prescribe their compensation.

Mr. Moore moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Veatch—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watts introduced senate bill No. 123, being a bill for an Act to prohibit the deductions of indebtedness for taxation, and to regulate the allowance thereof in certain cases.

The bill was read the first time and passed to a second reading without a question.

Mr. Watts moved that the rules be suspended and that the bill be read the second time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Carson—2.

So the rules were suspended and the bill was read the second time by title and Mr. Watts moved to refer the bill to the committee on assessments, with instructions to have it printed if they deem it necessary.

Which motion prevailed.

Mr. Watts introduced senate bill No. 124, being a bill for an Act to amend section 2815 of Hill's annotated laws of Oregon.

Mr. Watts moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watts moved that the rules be further suspended and senate bill No. 124 be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Gray—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts, referred to the committee on judiciary, with instructions to print if they deem necessary.

On motion of Mr. Tongue, the courtesies of the senate were extended to Judge F. J. Taylor, and he was invited to a seat within the bar of the senate.

Mr. Barin introduced senate bill No. 125, being a bill for an Act to amend an Act entitled an Act to confirm title in certain settlers upon swamp and overflowed lands.

Mr. Barin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Barin introduced senate bill No. 126, being a bill for an Act to amend section 2507 of Hill's annotated laws of Oregon, relating to ballot paper.

Mr. Barin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Veatch and Carson—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Gray introduced senate bill No. 127, being a bill for an Act authorizing any firm, association or corporation owning or controlling timber lands to condemn right of way for proper purposes.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Gray introduced senate bill No. 128, being a bill for an Act to authorize R. S. Ambercrombie to construct a log boom on Nekaunikum creek.

The bill was read the first time and passed to a second reading without a question.

Mr. Cauthorn introduced senate bill No. 129, being a bill for an Act to establish an agricultural experiment station in connection with State agricultural college.

The bill was read the first time and passed to a second reading without a question.

Mr. Cauthorn moved that the rules be suspended and that the bill be read a second time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Carson—2.

So the rules were suspended and the bill was read a second time by title and passed to a third reading without question.

Mr. Cauthorn moved that the rules be further suspended and the bill be read the third time now and placed on its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Mr. Fullerton introduced senate bill No. 130, being a bill for an Act to amend section 905, chapter XI, of Hill's code.

The bill was read the first time and passed to a second reading without a question.

Mr. Fullerton introduced senate bill No. 131, being a bill for an Act to amend section 575 of civil code.

The bill was read the first time and passed to a second reading without a question.

Mr. Chandler introduced senate bill No. 132, being a bill for an Act to appropriate money to aid the county court of Malheur county to construct a wagon bridge over the Owyhee river in Malheur county.

The bill was read the first time and passed to a second reading without a question.

Mr. Chandler moved that the rules be suspended and that the bill be read the second time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to the committee on commerce with instruction to have the bill printed if necessary.

Mr. Norval introduced senate bill No. 133, being a bill for an Act granting the Oregon and Washington Territory Railroad Company right of way through certain lands.

Mr. Norval moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair introduced senate bill No. 134, being a bill for an Act to amend sections 44, 549, 910, 2058, and 2003, and to repeal section 2059 of the laws of Oregon as compiled by W. Lair Hill.

Mr. Sinclair moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cauthorn—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair introduced senate bill No. 135, being a bill for an Act to protect salmon and other food fishes in the State of Oregon and upon all waters upon which this State has concurrent jurisdiction.

Mr. Sinclair moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Raley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

On motion of Mr. Tongue, the Senate adjourned.

## AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.?

All the Senators were present except Messrs. Raley and Veatch.

Mr. Carson moved that the rules be suspended and senate bill No. 119 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Steel, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Raley.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Carson, referred to a special committee composed of the Senators from Multnomah county.

By unanimous consent, Mr. Carson, chairman of the committee on ways and means, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate resolution No. 18, beg leave to report as follows:

That in the early part of his term (the date of which is not at hand) Governor Thayer appointed Capt. John Mullan as special agent to represent the State of Oregon before the department at Washington, D. C., in the interests of the swamp land business.

That on the 7th day of August, 1882, he was appointed by Governor Thayer as agent for the State to file abstracts, statements, etc., with the secretary of the treasury, showing the amount of such claims as the State of Oregon had against the United States for moneys expended in repelling invasions and suppressing Indian hostilities.

That on the 20th day of February, 1883, he was appointed by Governor Z. F. Moody as agent and attorney for the State to repre-

sent the interest of the State before the proper authorities of the United States at Washington, D. C., for the purpose of having adjusted the States and Territories under the Act of congress approved August 6, 1861.

In letters from the executive office dated March 30, 1883, and July 24, 1883, he was recognized as such agent for the State.

In a letter written by Governor Moody under date of February 13, 1884, he was recognized as an agent attending to swamp land business before the department.

We can find no mention of terms or duration of appointment whatever in the executive department.

On the 30th day of March, 1883, Governor Moody addressed a letter to Captain Mullan acknowledging the receipt of two drafts containing in the aggregate sixty-three thousand two hundred and forty-one dollars and twenty-eight cents, collected by Captain Mullan on the State's share of expenses incurred in the suppression of the Modoc war. For such service Captain Mullan had retained ten per cent for collection, which ten per cent Governor Moody immediately instructed him to forward at once, at the same time acknowledging the importance of his services to the State, but claiming that this manner of payment was entirely unauthorized by law. Governor Moody at this time informed him that he would take pleasure in presenting his claim for services rendered to the legislative assembly for its action.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the foregoing report was referred to the committee on claims.

Mr. Watkins introduced senate bill No. 136, being a bill for an Act to authorize and empower the Governor, Secretary of State and State Treasurer of the State of Oregon to build and construct a portage railway along the Columbia river around the cascades.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Dawson, Mackay and Raley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.



Mr. Chamberlin introduced senate bill No. 137, being a bill for an Act for the relief of Fred Yankee, for an extended grant of land for waterway or race and contract for the same.

Mr. Chamberlin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Veatch.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Eakin introduced senate bill No. 138, being a bill for an Act to amend section 4201, chapter LXXXI, miscellaneous laws of Hill's annotated code, relating to warehouses, etc.

Mr. Eakin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton introduced senate bill No. 139, being a bill for an Act authorizing the county courts to maintain ferries.

The bill was read the first time and passed to a second reading without a question.

Mr. Watts introduced senate bill No. 140, being a bill for an Act to prohibit horse racing on Sunday and betting on the same.

The bill was read the first time and passed to a second reading without a question.

Mr. Tongue introduced senate bill No. 141, being a bill for an Act to license stallions kept for public service in the stud, and to provide for lien upon mares and colts for stud fees.

Mr. Tongue moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Fullerton—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Steel introduced senate bill No. 154, being a bill for an Act to appropriate money for the purpose of propagating salmon in the Columbia river or its tributaries and waters of the State of Oregon.

Mr. Steel moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cogswell—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Steel introduced senate bill No. 155, being a bill for an Act to authorize the filing and docketing of judgments of the district and circuit courts of the United States in various counties of the State.

Mr. Steel moved that the rules be suspended and that the bill be read the first time by title.

The roll being called the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Cogswell—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Steel introduced senate bill No. 156, being a bill for an Act to provide for a harbor master at the ports of Portland and Astoria and define their duties.

Mr. Steel moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Cauthorn, Cogswell and Gray—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Steel introduced senate bill No. 157, being a bill for an Act to amend section 2472 of the code and general laws of Oregon, compiled by W. Lair Hill.

Mr. Steel moved that the rules be suspended and that the bill be read the first time by title.

The roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Cauthorn.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Chamberlin introduced senate bill No. 159, being a bill for an Act to more particularly define the duties and compensation of recorder of conveyances, and to provide for him a seal of office.

Mr. Chamberlin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney,

Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Cauthorn, Dawson and Watkins—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore introduced senate bill No. 160, being a bill for an Act to provide for the printing and publishing of the decisions of the supreme court of Oregon.

Mr. Moore moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Cogswell, Dawson, Hilton and Norval—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Raley introduced senate bill No. 161, being a bill for an Act to relocate the county seat of Union county, Oregon.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Cogswell, Dawson, Hilton and Wait—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Raley moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Cogswell, Dawson, Gray, and Wait—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Raley, referred to the committee on counties with instructions to have the same printed if deemed advisable.

Mr. Raley introduced senate bill No. 162, being a bill for an Act to amend subdivision 2 of section 2, article IV, of an Act entitled an Act to incorporate the town of Summerville.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Cogswell, Dawson, and Wait—5.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without further question.

Mr. Raley introduced senate bill No. 163, being a bill for an Act to amend section 3240 of Hill's annotated laws of Oregon.

Mr. Raley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Cogswell, Dawson, Sinclair and Wait—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Chandler introduced senate bill No. 164, being a bill for an Act to create an Eastern Oregon State board of agriculture, and define their duties, and to appropriate money therefor.

Mr. Chandler moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Cogswell, Dawson and Sinclair—5.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without question.

Mr. Chandler moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dawson, Sinclair and Stanley—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to a special committee composed of the Senators from Eastern Oregon.

Mr. Chandler introduced senate bill No. 165, being a bill for an Act to amend an Act incorporating Baker City, Oregon.

Mr. Chandler moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Cauthorn, Fullerton, Irvine and Stanley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Chandler moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell,

Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dawson, Stanley and Veatch—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to the committee on corporations.

Mr. Chamberlin moved that the rules be suspended and senate bill No. 117 be taken up and read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Stanley—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chamberlin, ordered engrossed for a third reading to-morrow.

Mr. Gray moved that the rules be suspended and senate bill No. 109 be taken up and read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chandler, Dawson, Eakin, Fullerton and Steel—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Moore, referred to the committee on commerce.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 46, to provide for the construction of a wagon



road from Chetco to Port Orford, and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 46 accompanying the foregoing message coming on for first reading, Mr. Sinclair moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Cogswell, Dawson, Eakin and Steel—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Dawson, Eakin, Steel and Tongue—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 31, 1889. )

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 3, to provide for the punishment of crime committed on the Columbia river and the Snake river.



And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 3 accompanying the foregoing message was read the first time and passed to a second reading without a question.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 84, providing for the establishment of a State normal school.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 84 accompanying the foregoing message was read the first time and passed to a second reading without a question.

Mr. Hilton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Carson and Dawson—3.

So the rules were suspended and the bill read a second time by title and passed to a third reading to-morrow.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 15, providing for a joint

committee of three on the part of the house and two on the part of the senate to visit the school for the blind.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 15 accompanying the foregoing message was read, and on motion of Mr. Gray, concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 21.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 21 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house joint memorial 3 has been correctly enrolled, that the Speaker has signed the same.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house joint memorial No. 3, and shortly afterwards stated that he had signed the same.

On motion of Mr. Gray, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

FRIDAY, FEBRUARY 1, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Carson, Dimick and Hilton.

On motion of Mr. Dawson, the reading of the journal of yesterday was dispensed with.

Leave of absence was granted Senator Carson.

On motion of Mr. Moore, it was ordered that when the senate adjourns it do adjourn until next Monday at 2 o'clock P. M.

On motion of Mr. Irvine, it was ordered that the senate adjourn at 10:30 o'clock this morning.

Mr. Dimick introduced senate bill No. 166, being a bill for an Act to amend the charter of the city of Salem.

Mr. Dimick moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Cogswell—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Dimick, was referred to a special committee composed of the Senators from Marion county.

Mr. Veatch introduced senate bill No. 167, being a bill for an Act to incorporate the town of Cottage Grove in Lane county.

Mr. Veatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Veatch moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Dawson and Gray—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Tongue, was referred to the committee on corporations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 31, 1889. )

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill 17.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

So senate bill No. 17 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house concurrent resolution No. 14, providing that the standing committees of both houses on commerce may be authorized to go to Portland and Astoria and take testimony.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 14 accompanying the foregoing message was read, and on motion of Mr. Gray, was concurred in by the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 11, to amend section 1 of an Act entitled an Act to create the county of Morrow, and to fix the salaries of county judge and treasurer.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 11 accompanying the foregoing message coming on to be read, Mr. Wager moved that the rules be suspended and that the bill be read first time by title.

The roll being called the motion prevailed by the following vote:  
Those voting aye were :

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

committee of three on the part of the house and two on the part of the senate to visit the school for the blind.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 15 accompanying the foregoing message was read, and on motion of Mr. Gray, concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 21.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 21 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house joint memorial 3 has been correctly enrolled, that the Speaker has signed the same.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house joint memorial No. 3, and shortly afterwards stated that he had signed the same.

On motion of Mr. Gray, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

FRIDAY, FEBRUARY 1, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Carson, Dimick and Hilton.

On motion of Mr. Dawson, the reading of the journal of yesterday was dispensed with.

Leave of absence was granted Senator Carson.

On motion of Mr. Moore, it was ordered that when the senate adjourns it do adjourn until next Monday at 2 o'clock P. M.

On motion of Mr. Irvine, it was ordered that the senate adjourn at 10:30 o'clock this morning.

Mr. Dimick introduced senate bill No. 166, being a bill for an Act to amend the charter of the city of Salem.

Mr. Dimick moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Cogswell—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Dimick, was referred to a special committee composed of the Senators from Marion county.

Mr. Veatch introduced senate bill No. 167, being a bill for an Act to incorporate the town of Cottage Grove in Lane county.

Mr. Veatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Veatch moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Dawson and Gray—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Tongue, was referred to the committee on corporations.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
January 31, 1889. )

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill 17.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.



So senate bill No. 17 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house concurrent resolution No. 14, providing that the standing committees of both houses on commerce may be authorized to go to Portland and Astoria and take testimony.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 14 accompanying the foregoing message was read, and on motion of Mr. Gray, was concurred in by the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 31, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 11, to amend section 1 of an Act entitled an Act to create the county of Morrow, and to fix the salaries of county judge and treasurer.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 11 accompanying the foregoing message coming on to be read, Mr. Wager moved that the rules be suspended and that the bill be read first time by title.

The roll being called the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Carson and Eakin—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Stanley introduced senate bill No. 168, being a bill for an Act to aid Jackson county in building a wagon road from Jacksonville to Medford.

Mr. Stanley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Dawson and Eakin—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

#### SECOND READING OF SENATE BILLS.

Senate bill No. 73 coming on for a second reading, Mr. Veatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Carson and Dawson—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Veatch, referred to the committee on roads and highways.

On motion of Mr. Cogswell, it was ordered that hereafter on second reading of bills the President refer them to appropriate committees to which they would naturally be referred, without any motions, unless otherwise ordered.

Senate bill No. 74 coming on for a second reading, Mr. Cauthorn moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Carson—2.

So the rules were suspended and the bill was read second time by title, and on motion of Mr. Cauthorn, referred to the committee on education, and Mr. Cauthorn moved that the rules be suspended and the committee granted leave to report at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Carson and Steel—3.

So the rules were suspended and the committee granted leave to report at any time.

Senate bill No. 75 coming on for a second reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Carson—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Dawson, referred to the committee on railroads.

The hour fixed for the adjournment of the senate having arrived, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

MONDAY, FEBRUARY 4, 1889.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Hatch and Raley.

By special request the President excused Senator Raley until Tuesday at 2 o'clock P. M.

On motion of Mr. Stanley the reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. Watts introduced senate bill No. 169, being a bill for an Act to appropriate money to pay the per diem, mileage and other expenses of the fifteenth biennial session of the Oregon legislature.

The bill was read the first time and passed to a second reading without a question.

Mr. Watts moved that the rules be suspended and that the bill be read the second time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read the second time by title and passed to a third reading.

Mr. Watts moved that the rules be still further suspended and that the bill be considered engrossed and read the third time now and placed upon its final passage.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton,

Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley.

So the bill passed and there being no objection the title of the bill was declared to stand as the title of the Act.

By unanimous consent, Mr. Gray introduced senate bill No. 170, being a bill for an Act to amend sections 3918 and 3919 of title I of chapter LXVI of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Gray moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray, referred to the committee on commerce.

By unanimous consent, Mr. Cogswell introduced senate bill No. 171, being a bill for an Act to amend section 2538 miscellaneous laws of the State of Oregon as compiled and annotated by W. Lair Hill.

Mr. Cogswell moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Wager introduced senate bill No. 172, being a bill for an Act to provide for the cancellation of county warrants over seven years old.

The bill was read the first time and passed to a second reading without a question.

Mr. Wager moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch, Raley and Sinclair—3.

So the rules were suspended and the bill was read a second time by title, and referred to the committee on claims.

By unanimous consent, Mr. Cauthorn introduced senate bill No. 173, being a bill for an Act entitled an Act to authorize the construction of a wagon and passenger bridge across the Willamette river at Corvallis, Oregon.

The bill was read the first time and passed to a second reading without a question.

Mr. Cauthorn moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Hatch, Raley and Wait—4.

So the rules were suspended and the bill was read a second time by title and referred to the committee on commerce.

By unanimous consent, Mr. Stanley introduced senate bill No. 174, being a bill for an Act in furtherance of justice.

Mr. Stanley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson, Hatch and Raley—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Stanley introduced senate bill No. 175, being a bill for an Act to amend section 2370, title II, chapter XL, of the general laws of Oregon.

The bill was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON.

EXECUTIVE DEPARTMENT,

SALEM, February 4, 1889. }

*To the Honorable the President of the Senate :*

I am directed by the Governor to inform you that he has approved and signed the following bills :

## HOUSE BILL NO. 14.

"A bill for an Act to change the name of the town of Averill."

## HOUSE BILL NO. 60.

"An Act to change the times of holding the terms of the county court of Tillamook county."

## SENATE BILL NO. 54.

"An Act to authorize the construction of a bridge across the Willamette river between Marion and Yamhill counties in the State of Oregon."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLEY,  
Private Secretary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 52 has been reported correctly enrolled, that he has signed the same.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 52, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house joint memorial No. 2 has been reported correctly enrolled, that he has signed the same.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.



The President announced that he was about to sign house joint memorial No. 2, and shortly afterward stated that he had signed the same.

Mr. Gray, chairman of the committee on commerce, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 63, with leave to report at any time, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments of the printed bill:

FIRST AMENDMENT.

Amend section 2, line 4, by striking out the word "five" and insert in lieu thereof the word "three."

SECOND AMENDMENT.

Amend further by striking out in line 6, section 2, the words "six hundred" and insert in lieu thereof the words "four hundred dollars."

THIRD AMENDMENT.

Amend section 9, line 2, by adding after the word "commissioner" the words "it shall declare it."

FOURTH AMENDMENT.

Amend section 14 by striking out all of said section in line 6 and substitute therefor the following:

"Section 14. As it is of great importance to the people of Morrow and Grant counties that work upon this road in this Act provided for should be commenced as soon as practicable, this Act shall take effect as soon as it is approved by the Governor."

## FIFTH AMENDMENT.

Amend further by striking out the figures "7, 8, 9, 10, 11, 12, 13, 14, 15" preceding the sections of the bill, and insert in lieu thereof respectively the figures "6, 7, 8, 9, 10, 11, 12, 13, 14."

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, the foregoing amendments were adopted.

On motion of Mr. Gray, senate bill No. 63 as amended was ordered engrossed for a third reading to-morrow.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate joint memorial No. 3, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 34, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 3, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 17, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 4, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint memorial No. 6, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate joint resolution No. 2, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate concurrent resolution No. 8, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate joint memorial No. 5, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate joint memorial No. 4, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## SECOND READING OF SENATE BILLS.

Senate bill No. 76 was read a second time and referred to the committee on claims.

Senate bill No. 77 coming on for a second reading, Mr. Looney moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read a second time by title and referred to the committee on agriculture.

Senate bill No. 78 coming on for a second reading, Mr. Barin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read a second time by title and referred to the committee on roads and highways.

Senate bill No. 80 was read a second time and referred to the committee on claims.

Senate bill No. 81 was read a second time and referred to the committee on claims.

Senate bill No. 82 was read a second time and referred to the committee on counties.

Senate bill No. 83 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Dawson, Hatch and Raley.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Chandler, referred to the committee on mining.

Senate bill No. 84 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill was read a second time by title and referred to the committee on elections.

On motion of Mr. Cauthorn, the courtesies of the senate were extended to Hon. M. L. Pipes, an ex-member of the Oregon legislature.

On motion of Mr. Fullerton, the courtesies of the senate were extended to Hon. Jonathan Bourne, Jr., an ex-member of the Oregon legislature.

Senate bill No. 85 was read a second time and referred to the committee on claims.

Senate bill No. 86 was read a second time and referred to the committee on commerce.

Senate bill No. 87 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title, and referred to the committee on roads and highways.

Senate bill No. 88 was read a second time and referred to the committee on judiciary.

Senate bill No. 89 was read a second time and referred to the committee on judiciary.

Senate bill No. 90 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title, and was referred to the committee on judiciary.

Senate bill No. 91 coming on for a second reading, Mr. Hilton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill read a second time by title and was referred to the committee on elections.

Senate bill No. 92 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill was read the second time by title, and referred to the committee on commerce.

Senate bill No. 93 coming on for a second reading, Mr. Veatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill was read a second time by title and referred to the committee on judiciary.

Senate bill No. 94 was read a second time and referred to the committee on judiciary.

Senate bill No. 95 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Daw-

son, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill was read a second time by title and referred to the committee on corporations.

Senate bill No. 96 was read a second time and referred to the committee on education.

Senate bill No. 97 coming on for a second reading, Mr. Eakin moved that that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Hatch and Raley—5.

So the rules were suspended and the bill was read a second time by title and referred to the committee on railroads.

Senate bill No. 98 was read a second time and referred to the committee on judiciary.

Senate bill No. 99 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chandler, Hatch and Raley—4.

So the rules were suspended and the bill read a second time by title and referred to the committee on public lands.

On motion of Mr. Norval, the further consideration of senate bill No. 100 was indefinitely postponed.

Senate bill No. 101 coming on for a second reading, Mr. Veatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:



Those voting aye were:

Messrs. Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Chandler, Hatch and Raley—5.

So the rules were suspended and the bill read a second time by title and referred to the committee on railroads.

Senate bill No. 102 was read a second time and referred to the committee on judiciary.

Mr. Carson, chairman of the committee on ways and means, by unanimous consent, reported on senate bill No. 16 by requesting that the reference of said bill be changed to the committee on claims, which request was unanimously granted, and the bill was so referred.

Senate bill No. 103 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title, and referred to the committee on counties.

Senate bill No. 104 was read a second time, and Mr. Cauthorn introduced petitions in reference to the same, which, together with the bill, were referred to the committee on counties.

Senate bill No. 105 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Mr. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title, and referred to the committee on counties.

Senate bill No. 106 was read a second time, and referred to the committee on counties.

Senate bill No. 107 was read a second time, and referred to the committee on judiciary.

By unanimous consent Mr. Fullerton introduced the following memorial:

SENATE JOINT MEMORIAL NO. 7.

*To the Honorable the Congress of the United States:*

Your memorialists, the legislative assembly of the State of Oregon, most respectfully represents:

First—That the Territories of the United States abound in great mineral wealth.

Second—That the developments of the mines of said Territories require the investment of large sums of money, and when so developed they greatly contribute to the welfare and prosperity of the whole country.

Third—That large sums of money from abroad have been invested in mining for the precious metals during the early stages of the mining industry, and your memorialists have reason to believe that additional large sums of such foreign capital would be invested in such mining industries were the restriction now imposed by law against such investment removed.

Your memorialists therefore pray your honorable body to amend the "Act to restrict the ownership of real estate in the Territories to American citizens," etc., approved March 3, 1887, so that any and all persons, irrespective of nationality, may possess and own mining property in stocks without any restriction whatever.

Senate joint memorial No. 7 was ordered printed.

Senate bill No. 108 was read a second time and referred to the committee on judiciary.

Senate bill No. 111 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on corporations.

Senate bill No. 112 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill was read a second time by title, and Mr. Dimick moved to amend said bill as follows:

Strike out all of section 6 and insert the following in lieu thereof: "Inasmuch as there is urgent necessity for greater protection of the fishing industries and the propagation of fish, this Act shall take effect and be in force from and after its approval by the Governor."

Which motion prevailed, and senate bill No. 112 was referred to the committee on fishing industries.

Senate bill No. 113 coming on for a second reading, Mr. Stanley moved that the further consideration of said bill be indefinitely postponed.

Which motion prevailed.

Senate bill No. 114 coming on for a second reading, Mr. Watkins moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Steel, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill read a second time by title and referred to the committee on education.

Senate bill No. 115 was read a second time and referred to the committee on ways and means.

Mr. Wait introduced petitions concerning said bill, which were also referred to the same committee.

Senate bill No. 116 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Hatch and Raley—2.

So the rules were suspended and the bill read a second time by title and was referred to the committee on railroads.

Senate bill No. 118 coming on for a second reading, Mr. Watts moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Looney, was referred to the committee on agriculture.

Senate bill No. 120 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill was read a second time by title and referred to a special committee composed of the Senators from Multnomah county.

Senate bill No. 121 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill was read a second time by title, and Mr. Wager offered the following amendment:

Amend by inserting after the word "commissioners" in line 2 of section 1 the following words: "not more than three of whom shall be of the same political party."

Senate bill No. 121, together with the above amendment, was referred to the committee on ways and means.

Senate bill No. 122 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on judiciary.

Senate bill No. 125 was read a second time and referred to the committee on public lands.

Senate bill No. 126 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on elections.

Senate bill No. 127 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title and was referred to the committee on judiciary.

Senate bill No. 128 was read a second time and referred to the committee on commerce.

Senate bill No. 130 was read a second time and referred to the committee on judiciary.

Senate bill No. 131 was read a second time and referred to the committee on judiciary.

Senate bill No. 133 was read a second time, and Mr. Wager moved to amend as follows:

Amend by striking out all the "whereases," being all that portion of the bill between the title and the enacting clause.

Which motion prevailed.

The bill with above amendment was referred to the committee on railroads.

Senate bill No. 134 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on judiciary.

Senate bill No. 135 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell,

Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Raley—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on fishing industries.

Senate bill No. 137 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Hatch and Raley—4.

So the rules were suspended and the bill read a second time by title and was referred to the committee on claims.

Senate bill No. 138 was read a second time and referred to the committee on commerce.

On motion of Mr. Carson, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

TUESDAY, FEBRUARY 5, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Raley, who stands excused.

Prayer was offered by Rev. P. S. Burnett of Salem.

On motion of Mr. Fullerton, the reading of the journal of yesterday was dispensed with.

The President announced the appointment of Messrs. Sinclair and Cauthorn on the part of the senate as members of the joint committee to visit and examine into the affairs of the blind school pursuant to house concurrent resolution No. 15.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate joint resolution No. 2, senate joint resolution No. 3, and senate concurrent resolution No. 8.

And the same are herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate joint resolution No. 2, senate joint resolution No. 3, and senate concurrent resolution No. 8, and afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate joint memorial No. 3, senate joint memorial No. 4, senate joint memorial No. 5 and senate joint memorial No. 6.

And the same are herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate joint memorial No. 3, senate joint memorial No. 4, senate joint memorial No. 5 and senate joint memorial No. 6, and afterwards stated that he had signed the same.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bill No. 34 and senate bill No. 17.

And the same are herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 34 and senate bill No. 17, and afterwards stated that he had signed the same.

Mr. Gray asked and obtained unanimous consent, as chairman of the committee on commerce, to submit the following:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President :*

Your committee on commerce, to whom was referred senate bill No. 109, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments to the printed bill:

## FIRST AMENDMENT.

In line 2 of section 1 strike out the word "twelve" and insert the word "fifteen."

## SECOND AMENDMENT.

In line 4 of section 1 strike out the word "Riverside" and add "Greenville, Washington county, Orgeon, *via* Mist and Vernonia."

## THIRD AMENDMENT.

In line 2 of section 2 strike out the words "said points" and add "Olney, in the said county, to a point on the line between Clatsop county and Columbia county, on the most practicable and direct route from Olney to Mist, in Columbia county."

## FOURTH AMENDMENT.

In line 4 of section 2 strike out all the words after the word "bidder" and add, "and the said county court is hereby authorized to expend money and incur debts, to construct so much of said road as shall be located in Clatsop county; but no more than nine thousand dollars of said expenditure or debt shall be payable out of the appropriation made by this Act."

## FIFTH AMENDMENT.

After the word "that" in line 1 of section 2 insert the following: "The sum of nine thousand dollars of the amount herein appropriated be and the same is appropriated to the said county court of Clatsop county for the purpose aforesaid and."

## SIXTH AMENDMENT.

In line 2 of section 3 strike out the word "twelve" and insert the word "nine."

## SEVENTH AMENDMENT.

In line 3 of section 3 strike out the word "on" and insert the word "upon."

## EIGHTH AMENDMENT.

In line 3 of section 3 strike out the word "a" and all of line 4 of said section and add, "said road has been established, located and opened as a public road for travel from Olney in Clatsop county to the said point on the boundary line between Clatsop and Columbia counties."

## NINTH AMENDMENT.

After the figure 4 in line 1 in section 4 add the following:

That the sum of four thousand dollars of the amount herein appropriated be and the same is appropriated to the county court of Columbia county for the purpose aforesaid, and the said county court is hereby authorized to expend monies and incur indebtedness in the construction of so much of such road as shall lie in Columbia county; but no more than four thousand dollars of such expenditure or debt shall be payable out of the appropriation made by this Act; and the Secretary of State be and he is hereby authorized to

draw his warrants upon the State Treasurer for the said amount of four thousand dollars payable to the order of said county court and commissioners, upon said court filing with said Secretary a certificate that said road has been established and opened as a public road for travel on the most practicable and direct route from a point on the boundary line between Clatsop and Columbia counties, at the terminal point of the road from Olney, aforesaid, *via* Mist and Vernonia to a point on the boundary line between Columbia and Washington counties.

#### TENTH AMENDMENT.

Section 5. That the sum of two thousand dollars of the amount herein appropriated be and the same is appropriated to the county court of Washington county for the purpose aforesaid, and the said county court is hereby authorized to expend money and incur indebtedness in the construction of so much of such road as shall lie in Washington county; but no more than two thousand dollars of such expenditure or debt shall be payable out of the appropriation made by this Act; and the Secretary of State be and he is hereby authorized to draw his warrants upon the State Treasurer for the said amount of two thousand dollars payable to the order of said county court and commissioners, upon said court filing with said Secretary of State a certificate that said road has been established, located and opened as a public road for travel on the most practicable and direct route from a point on the boundary line between Columbia and Washington counties, at the terminal point of the road, *via* Mist and Vernonia to Greenville in Washington county.

#### ELEVENTH AMENDMENT.

Strike out the figure 4 in line 1 of section 4 and insert the figure 6.

J. H. D. GRAY,  
Chairman.

The foregoing amendments were, on motion of Mr. Gray, adopted.

On motion of Mr. Gray, senate bill No. 109 was ordered engrossed and printed for a third reading to-morrow.

Mr. Gray moved that the rules be suspended and senate bill No. 109 be made the special order for to-morrow at 11 o'clock A. M.

On this question the roll was called and the vote was:

Those voting aye were:

Strike out "Klamath" in ninth line and insert it in line 5 after the word "Malheur."

Which motion prevailed.

Mr. Watts moved to amend as follows:

Amend by striking out the word "Yamhill" in fourth line, printed bill, and insert "Yamhill" in the third line after the word "Multnomah."

Strike out the word "and" just before "Multnomah" in third line and insert "and" after the word "Multnomah" in said line.

Which motion prevailed.

Mr. Wager moved to amend as follows:

Amend by striking out "Umatilia" in line 7 and inserting the word "Umatilla" before the word "Morrow" in line 5.

Which motion prevailed.

Mr. Moore moved to amend as follows:

Strike out the word "Tillamook" in line 6 and insert the word "Tillamook" after the word "Malheur" in line 5 of section 1, senate bill No. 145.

Which motion prevailed.

On motion of Mr. Fullerton, senate bill No. 145 was ordered engrossed for a third reading to-morrow.

Senate bill No. 146 was read a second time and referred to the committee on judiciary.

Senate bill No. 150 was read a second time and referred to the committee on judiciary.

Senate bill No. 151 was read a second time and referred to the committee on judiciary.

Senate bill No. 152 was read a second time and referred to the committee on claims.

Senate bill No. 153 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Dawson and Raley—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, ordered engrossed for a third reading to-morrow.

Senate bill No. 156 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Dawson, Dimick, Raley and Stanley—5.

So the rules were suspended and the bill was read a second time by title and referred to the committee on commerce.

Senate bill No. 157 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dimick and Raley—4.

So the rules were suspended and the bill was read second time by title and referred to the committee on counties.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 13, to appropriate money to aid Coos and Douglas counties to construct a wagon road on the middle fork of the Coquille river.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 13 coming on for reading, Mr. Sinclair moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dawson, Dimick and Raley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—24.

Nays—Messrs. Tongue, Veatch and Wager—3.

Absent—Messrs. Barin, Dimick and Raley—3.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 154, to amend section 1935 of the codes and general laws of Oregon, as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 154 accompanying the foregoing message was read the first time and passed to a second reading without a question.

Mr. Barin stated that he was sick and requested to be excused from further attendance on the senate to-day.

Which request was granted.

On motion of Mr. Moore, the courtesies of the senate were

extended to ex-Governor Geo. L. Woods, who was provided with a seat within the bar of the senate.

On motion of Mr. Irvine, the courtesies of the senate were extended to ex-Governor Chadwick, and a seat provided for him within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 7, authorizing the appointment of official reporters in the circuit court, and prescribing their duties and fixing their compensation.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 7 accompanying the foregoing message coming on for the first reading, Mr. Chandler moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Raley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chandler, Dimick, Raley, Steel and Tongue—6.

So the rules were suspended and the bill was read a second time by title and passed to a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President.*

I am directed by the Speaker to inform you that the house has passed house bill 69, to create the county of Harney and fix the salaries of county judge and treasurer.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 69 accompanying the foregoing message coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dimick and Raley—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dimick and Raley—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on counties.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 25, to amend section 2472 of codes and general laws of Oregon, as annotated by W. Lair Hill.

Also house bill No. 106, to provide assessment blanks for district school clerks.

Also house bill 12, to amend section 2609, title IV, chapter XVI, of miscellaneous laws of Oregon relating to legal voters at school meetings.

And the same are herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 25 coming on for the first reading; Mr. Carson moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dimick and Raley—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Dawson, Dimick, Moore and Raley—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hilton, referred to the committee on counties.

House bill No. 12 was read the first time and passed to a second reading without a question.

Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Dawson, Dimick, Hatch and Raley—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Carson moved to amend house bill No. 12 as follows:

Amend section 1, line 4, by inserting after the word "educate" the following: "But this Act shall not be applicable to districts with a population of 5,000 and upwards."

On motion of Mr. Tongue, the bill with above amendment was referred to the committee on education.

House bill No. 106 was read the first time and passed to a second reading without a question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 61, to regulate hunting on enclosed grounds.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 61 accompanying the foregoing message was read the first time and passed to a second reading without a question.

Mr. Hatch moved that the rules be suspended and house bill No. 61 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Ful-

lerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Dawson, Dimick and Raley—5.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Tongue, referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 26, to amend section 3744 of chapter LVIII of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 26 accompanying the foregoing message was read the first time and passed to a second reading without question.

Mr. Steel moved that the rules be suspended and house bill No. 26 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cogswell, Dawson, Dimick, Fullerton and Raley—6.

So the rules were suspended and the bill was read a second time by title, and Mr. Wager moved to amend as follows:

Amend house bill No. 26 by inserting the word and figure "Section 2" at the beginning of line 13.

Which motion prevailed.

House bill No. 26 was passed to a third reading to-morrow.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 75, to amend sections 3295 and 3296 of Hill's code.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

House bill No. 75 coming on for the first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts' and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dawson, Dimick and Raley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 39, to amend Hill's code relating to the punishment for stealing stock.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

House bill No. 39 accompanying the foregoing message was read the first time.

Mr. Veatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chandler, Dawson, Dimick and Raley—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Tongue moved to amend house bill 39 as follows:

Amend by inserting the word "dog" after the word "hog" in line 4 of printed bill.

Which motion prevailed and the bill was passed for a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill 21.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 21, and shortly afterward stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 91, to appropriate money to construct a road in Tillamook county.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 75, to amend sections 3295 and 3296 of Hill's code.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

House bill No. 75 coming on for the first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts' and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dawson, Dimick and Raley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 39, to amend Hill's code relating to the punishment for stealing stock.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

House bill No. 39 accompanying the foregoing message was read the first time.

Mr. Veatch moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chandler, Dawson, Dimick and Raley—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Tongue moved to amend house bill 39 as follows:

Amend by inserting the word "dog" after the word "hog" in line 4 of printed bill.

Which motion prevailed and the bill was passed for a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill 21.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 21, and shortly afterward, stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 91, to appropriate money to construct a road in Tillamook county.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 91 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dimick and Raley—3.

So the rules were suspended and the bill was read the first time, by title and passed to a second reading without question.

Mr. Moore moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dimick and Veatch—3.

So the rules were suspended and the bill was read a second time by title and passed to a third reading to-morrow.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 1, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 4, to provide for the satisfying of mortgages by affidavit.

Also house bill No. 27, to amend section 3013, chapter XXI, title I, relating to conveyances.

Also house bill No. 38, to repeal an Act relating to vagrants.



And the same are herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 4 accompanying the foregoing message was read the first time and passed to a second reading without a question.

Mr. Steel moved that the rules be suspended and that the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cogswell and Dimick—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Steel, referred to the committee on judiciary.

Mr. Fullerton asked and obtained unanimous consent to introduce senate bill No. 176, being a bill for an Act to amend section 1950, title II, of chapter VIII, of the criminal code of Oregon.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Veatch introduced senate bill No. 177, being a bill for an Act to regulate the voluntary sending of newspapers and other publications.

Mr. Veatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton,

Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Wait—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Watkins introduced senate bill No. 178, being a bill for an Act to regulate and fix the liability of corporations, etc.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Tongue introduced senate bill No. 179, being a bill for an Act to increase the efficiency of our common schools.

Mr. Tongue moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

On motion of Mr. Wager, house bill No. 4 was referred to the committee on judiciary.

On motion of Mr. Moore, the senate adjourned.

## AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Barin.

By unanimous consent, Mr. Hilton introduced senate bill No. 180, being a bill for an Act to constitute a board of portage railway commissioners.

Mr. Hilton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hilton moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Sinclair—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Hilton, referred to a special committee composed of the Senators from Eastern Oregon and from counties bordering on the Columbia river.

By unanimous consent, Mr. Steel introduced senate bill No. 181, being a bill for an Act to create a State board of horticulture and appropriate money therefor.

Mr. Steel moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Cauthorn introduced senate bill No. 182, being a bill for an Act to amend the charter of the city of Corvallis.

Mr. Cauthorn moved that the rules be suspended and that the bill be read the second time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cogswell—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cauthorn moved that the rules be further suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cogswell—2.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Cauthorn, was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Fullerton introduced senate bill No. 183, being a bill for an Act requiring railroad companies to equip cars and engines with automatic brakes.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cogswell and Mackay—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Stanley introduced senate bill No. 184, being a bill for an act to amend section 4, chapter XXXVIII, of the miscellaneous laws of Oregon pertaining to mines.

The bill was read the first time and passed to a second reading without a question.

By unanimous consent, Mr. Moore introduced senate bill No. 185, being a bill for an Act to amend an Act entitled an Act to incorporate the town of Ranier.

The bill was read the first time and passed to a second reading without a question.

Mr. Moore moved that the rules be suspended and that the bill be read a second time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cogswell—2.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Moore, referred to the committee on corporations with instructions to have it printed if deemed advisable.

By unanimous consent, Mr. Wait introduced senate bill No. 186, being a bill for an Act to amend an Act authorizing the construction of a bridge across the Willamette river between the cities of Portland and East Portland.

Mr. Wait moved that the rules be suspended and that the bill be read the second time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton,

Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Wait moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read the second time by title, and on motion of Mr. Wait, referred to the committee on commerce, with instructions to have it printed if deemed advisable.

Mr. Steel moved that the rules be suspended and senate bill No. 181 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Hilton—3.

So the rules were suspended and the bill was read a second time by title and referred to the committee on agriculture.

By unanimous consent, Mr. Sinclair introduced senate bill No. 187, being a bill for an Act to provide for permanently locating the county seat of Coos county, Oregon.

Mr. Sinclair moved that the rules be suspended and that the bill be read the first time by title.

The roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel,

Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Sinclair, referred to the committee on counties.

Mr. Gray now moved that the rules be suspended and house bill No. 106 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read a second time by title and passed to a third reading to-morrow.

House bill No. 38 was read the first time and passed to a second reading without a question.

House bill No. 27 coming on for first reading, Mr. Fullerton moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair,



Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Tongue moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

✓ Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chandler and Dawson—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager, referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 124, to change the name of Bully creek, Malheur county.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 124 accompanying the foregoing message was read the first time and passed to a second reading without a question.

Mr. Wager moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley,



Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title, and Mr. Cogswell moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson.

So the rules were suspended and the bill read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Watkins—3.

So House bill No. 124 was declared passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 68, to amend section 4044, Hill's code, relating to stock killed upon railroads.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 68 accompanying the foregoing message was read the first time and passed to a second reading.

Mr. Veatch moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting ayé were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on railroads.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 102, for the relief of indigent Union and Mexican war soldiers, sailors, and marines, and Indian war veterans.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 102 coming on for reading, Mr. Moore moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Watkins—3

So the rules were suspended and the bill was read the first time by title and passed to a second reading.

Mr. Moore moved that the rules be further suspended and the bill read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Mr. Chandler.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Moore, referred to the committee on military affairs.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 30, to provide for the improvement of the Wallowa canyon wagon road and to appropriate money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 30 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Norval moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine,

Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Dawson—2.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 33, to amend the charter of the city of La Grande.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 33 coming on for a reading, Mr. Eakin moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Wait—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Norval moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Wait—2.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Cogswell now moved that the rules be suspended and house bill No. 28 be taken up and be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Wait—2.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 155, to amend section 4095 of the general laws of Oregon pertaining to roads obstructed by fallen timber.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 155 accompanying the foregoing message was read the first time and passed to a second reading.

Mr. Looney moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 93, to provide for the improvement of a road from the town of Heppner to the town of Monument.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill 93 coming on for a reading, Mr. Cauthorn moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—M. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading.

Mr. Raley moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 169.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 169 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted senate joint resolution No. 1.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 7, relating to certain railroad lands.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 7 accompanying the foregoing message was read, and Mr. Wager moved to concur in the same.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President —29.

Nays—None.

Absent—Mr. Cauthorn.

So house joint memorial No. 7 was declared concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 8, proposing to amend the constitution in regard to the indebtedness of counties.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 8 accompanying the foregoing message was read and, on motion of Mr. Fullerton, referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 10, relating to the appointment of commissioners to examine into and report upon the improvement of the grasses of this State.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 10 accompanying the foregoing message was read, and Mr. Veatch moved to concur therein.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Carson.

So house joint memorial No. 10 was declared concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 1, proposing to amend the constitution of the State of Oregon to authorize the enactment of registration laws.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 1 accompanying the foregoing message was read, and on motion of Mr. Wager, referred to the committee on elections.

Mr. Watkins moved that senate bill No. 136 be taken up and that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cauthorn—2.

So the rules were suspended; but owing to the fact that the bill was still in the hands of the Printer, its reading was deferred until it should return from the Printer.

Senate bill No. 149 was read a second time, and on motion of Mr. Eakin, ordered engrossed for a third reading to-morrow.

Senate bill No. 154 was read a second time and referred to the committee on fishing industries.

Senate bill No. 155 was read a second time and referred to the committee on judiciary.

Senate bill No. 158 was read a second time and referred to the committee on ways and means.

Senate bill No. 159 coming on for a second reading, Mr. Chamberlin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title and referred to the committee on judiciary.

Senate bill No. 160 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the rules were suspended and the bill read a second time by title and was referred to the committee on judiciary.

Senate bill No. 168 coming on for a second reading, Mr. Stanley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Cogswell, referred to the committee on roads and highways.

Senate bill No. 171 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title, and Mr. Tongue moved that the rules be further suspended and the bill be considered engrossed and read the third time and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

On motion of Mr. Carson, it was ordered that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening.

On motion of Mr. Carson, the senate adjourned.

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### EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Cogswell, Irvine and Norval.

### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house is now ready to receive the senate in joint assembly, pursuant to senate concurrent resolution No. 8.

J. T. GREGG,  
Chief Clerk.

The President announced that pursuant to senate concurrent resolution No. 8 and the report of the committee made in accordance therewith, the time had arrived for the senate to meet the house in the hall of the house in joint convention.

Whereupon the senate proceeded to the hall of the house.

### JOINT CONVENTION.

The convention was called to order by President Simon.

The Chief Clerk of the Senate called the roll of the senate.

All the Senators were present.

The Chief Clerk of the House called the roll of the house.

All the members were present.

The Chief Clerk of the Senate read senate concurrent resolution No. 8 and also the report of the joint committee made pursuant to said resolution.

On motion of Mr. Watts, a committee of two were appointed to inform the Governor of the State of Oregon, and Hon. John Minto, that the joint convention was now ready to receive them and listen to their addresses, and to conduct said gentlemen within the hall of the house.

Mr. Watts and Mr. Earhart were appointed such committee.

The committee retired and shortly afterwards returned, accompanied by His Excellency, the Governor of Oregon, and Hon. John Minto, who were appropriately introduced and received and invited to seats on the platform of the Speaker's stand.

On motion of Mr. Earhart, Mr. Joseph Watt, president of the Oregon pioneer association, was invited to a seat upon the platform of the Speaker's stand.

Hon. John Minto, in an appropriate address, presented the elegant oil painting of Dr. McLaughlin to the State of Oregon, and His Excellency, the Governor, responded in an elegant speech of acceptance to Hon. John Minto.

On motion of Mr. Veatch, the joint convention was dissolved, and the senate returned to the senate chamber.

#### IN THE SENATE.

The senate having returned to the senate chamber, was called to order by President Simon.

On motion of Mr. Cauthorn, it was ordered that 1,000 copies of Hon. John Minto's address and an equal number of Governor Penoyer's speech be printed.

On motion of Mr. Watts, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

WEDNESDAY, FEBRUARY 6, 1889.

#### MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Wager.

Prayer was offered by Rev. W. Rollins of Salem.

On motion of Mr. Veatch, the reading of the journal of yesterday was dispensed with.

On motion of Mr. Carson, the courtesies of the senate were extended to Hon. Van B. DeLashmutt, mayor of the city of Portland, who was provided a seat within the bar of the senate.

On motion of Mr. Tongue, the courtesies of the senate were extended to ex-Governor Woods, who was provided a seat within the bar of the senate.

Senate bill No. 136 was now taken up under the suspension of the rules and read the second time, and on motion of Mr. Watkins, was referred to a special committee consisting of Senators from Eastern Oregon and from counties bordering on the Columbia river.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 43, to regulate the sale of spirituous or malt liquors.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 43 accompanying the foregoing message coming on for the first reading, Mr. Dimick moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Wager.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Gray and Wager—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Carson moved to refer the bill to the committee on education.

Mr. Tongue offered the following amendment:

Add at the end of section 11 the words: "Incorporated before the passage of this Act."

The ayes and nays were called for on the question to refer by Messrs. Watts, Dimick, Looney and Veatch.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hilton, Mackay, Raley, Sinclair, Stanley, Steel, Wait, Watkins, and Mr. President—16.

Nays—Messrs. Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Irvine, Looney, Moore, Norval, Tongue, Veatch and Watts—13.

Absent—Mr. Wager.

So the bill was ordered referred to the committee on education.

Mr. Watts moved that the committee on education have leave to report on house bill No. 43 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Steel, Tongue, Veatch, Wait and Watts—18.

Nays—Messrs. Barin, Chandler, Cogswell, Fullerton, Gray, Hamilton, Raley, Sinclair, Stanley, Watkins, and Mr. President—11.

Absent—Mr. Wager.

So the senate refused to suspend the rules and the above motion was lost.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 124 has been reported correctly enrolled; that the Speaker has signed the same.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign house bill No. 124, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 5, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 6, relating to building a canal and locks at the Cascades.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

House joint memorial No. 6 accompanying the foregoing message was read and Mr. Steel moved to concur in the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dimick, Stanley and Wager—4.

So house joint memorial No. 6 was concurred in by the senate.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 6, providing for the publication of additional copies of the "Resources of Oregon."

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 6 accompanying the foregoing message was read and Mr. Chamberlin moved to concur in the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Dimick, Stanley and Wager—6.

So the motion prevailed, and house joint resolution No. 6 was declared concurred in by the senate.

## VETO MESSAGE.

*To the Honorable, the Senate of the State of Oregon:*

I herewith return senate bill No. 17, with my dissent.

This is a bill amendatory of an Act approved November 25, 1885, which Act provided for the issuance by the water commissioners of the city of Portland of a certain amount of bonds for the purpose of providing water works for the city, and which Act further provided that "all bonds issued and disposed of under this Act shall be exempt from taxation either by the State or any county or municipal corporation therein." Senate bill No. 17 provides for the issuance by the water committee of \$1,500,000 more of bonds, "which bonds shall in all particulars, except as in this Act otherwise specially provided, conform to and have the same effect as those authorized by said Act of 1885, and shall be entitled

to the same privileges and exemption." This bill therefore provides that the water committee of the city of Portland may issue \$1,500,000 of water bonds, which bonds "shall be exempt from taxation either by the State or any county or municipal corporation therein."

Section 1, article IX, of the constitution of the State of Oregon, provides as follows: "The legislative assembly shall provide by law for uniform and equal rate of assessment and taxation; and shall prescribe such regulations as shall secure a just valuation of taxation for all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious and charitable purposes as may be specially exempted by law." Under the provision of this section of our State constitution the legislative assembly can exempt municipal property from taxation, but there is no provision by which it can both exempt such property and the money or bonds with which it has been purchased.

That instrument provides for the exemption of municipal property from being taxed, but it does not anywhere provide that twice the amount of that property shall be exempted.

These bonds after they have been paid out by the committee for the purchase of municipal property will pass, of course, into private hands, and become private property; and the legislature of Oregon, under our State constitution, can no more exempt these certain bonds, which may be owned by bankers in the city of Portland, from taxation, than it can exempt certain farms that are owned by farmers in Polk county from taxation.

They are private property and they can be exempt from taxation no more than can any and all other private property.

The section of the constitution before referred to provides "for uniform and equal rates of assessment and taxation." How can there be an equal rate of taxation when one person has \$10,000 in water bonds that pay no tax and his neighbor \$10,000 in real estate that is subject to full taxation, State county, and municipal?

The fact that these bonds, after they have passed into the hands of private parties, are in no sense of the word municipal property, but that they are private property, is so plain and self-evident as to need no argumentation whatever. And the further fact that, being private property, they cannot be exempt from taxation is as equally clear and conclusive.

The constitution of Oregon as above quoted enjoins upon the legislative assembly that "it shall prescribe such regulation as shall secure a just valuation for taxation of all property, both real and personal, excepting such only for municipal, educational, literary, scientific, religious and charitable purposes as may be specially

exempted by law," and yet it is now proposed by the legislative assembly in this bill, in defiance of the above provision, that no valuation for taxation of a certain species of personal property shall be made, but that such property shall be exempt even when it has passed into private hands and becomes private property to all intents and purposes. The legislature could as well provide that 1,500,000 silver dollars paid out by the water committee for municipal property, and which have passed into private hands, should be exempt from taxation, as it could provide that that amount of bonds so paid out after having passed into private hands and after having become private property, could be exempted from taxation. One proposition is as reasonable as the other, and both are unconstitutional.

Some years ago the city of Portland was the possessor of a certain building and lot on Morrison street which was used by the fire department. Subsequently the lot was sold at public outcry by the city and was purchased by a private citizen and became private property. While it was the property of the city it was exempted by law from taxation because it was municipal property and used for municipal purposes. Did this right of exemption from taxation adhere to that lot after it had ceased to be used for municipal purposes and had become private property? No one will assert it. And in the case of these water bonds, can this right of exemption from taxation adhere to them after they have ceased to be municipal property and have become private property, any more than it could in the case of the real property above mentioned? No one can assert it.

If this bill should become a law, and this issue of \$1,500,000 of water bonds should be made, and if such bonds shall be judiciously expended by the committee, the city of Portland will have a pipe line from Bull Run to that city of the value of \$1,500,000. This, by law, will be exempted from taxation. By the operation of this bill, however, \$1,500,000 more in the shape of these water bonds, which will have passed into the hands of private parties, will also be exempted from taxation. It must be again repeated that while our constitution exempts municipal property from taxation, it does not provide for the exemption of twice the amount of such property.

It is and should be the aim of every free and just government to accord to its people "equal and exact justice to all, special privileges to none." Our constitution declares that "all taxation shall be equal and uniform," of all "property, both real and personal," in the possession of any and all private citizens, and yet the complaint is borne to us from every quarter of the State that under our present system of assessment the wealthy classes of the community are

securing for themselves, in defiance of law, an immunity from their share of the public burdens. And will this legislative assembly, instead of affording relief and protection against this great injustice, still further aggravate that crying abuse by creating, in defiance of the fundamental law of the land, by positive statutory enactment, a species of property which in private ownership will be granted the undue privilege over any other species of property of total exemption from taxation? Shall the cry of the people of this State for justice in this regard be answered alone by the infliction of a still greater injustice?

No private property under our State constitution can be exempted from taxation, and this bill, which proposes such exemption, is plainly unconstitutional.

I veto the bill.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Tongue, it was ordered that 250 copies of the Governor's veto message be printed.

Mr. Carson moved that the consideration of the Governor's veto message to senate bill No. 17 be made the special order for to-morrow at 2 o'clock P. M., and that the State Printer proceed at once to print the same.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Wager.

So the motion prevailed and the consideration of the Governor's veto message to senate bill No. 17 was made the special order for to-morrow at 2 o'clock P. M.

On motion of Mr. Tongue, it was ordered that 250 copies more of house bill No. 43 be printed, for the reason that the supply had become exhausted without giving each member a copy.

The time having arrived for the consideration of senate bill No. 109, pursuant to special order, senate bill No. 109 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—21.

Nays—Messrs. Dawson, Dimick, Eakin, Irvine, Looney, Veatch and Watts—7.

Absent—Messrs. Chamberlin and Wager—2.

So the bill passed, and Mr. Moore moved to amend the title of senate bill No. 109 so as to read as follows:

#### A BILL

For an act to provide for the improvement and construction of a wagon road from Olney, Clatsop county, Oregon, to Greenville, Washington county, Oregon, *via* Mist and Vernonia in Columbia county, Oregon, and to appropriate money therefor.

A vote being taken, the title of senate bill No. 109 as above amended stands as the title of the Act.

Senate bill No. 148 coming on for a second reading, Mr. Dawson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chamberlin and Wager—3.

So the rules were suspended and the bill was read second time by title and referred to the committee on counties.

Senate bill No. 162 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Chandler and Wager—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Raley, referred to a special committee composed of the Senators from Union county.

Senate bill No. 163 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Chandler and Wager—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Raley, referred to the committee on railroads.

Senate bill No. 174 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Chandler and Wager—3.

So the rules were suspended and the bill was read a second time by title and referred to the committee on judiciary.

Senate bill No. 175 was read a second time and referred to the committee on counties.

On motion of Mr. Moore, the senate adjourned.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Steel, who, at the request of Mr. Carson, was excused on account of illness.

On motion of Mr. Cogswell, the vote by which senate bill No. 118 was ordered engrossed for a third reading was reconsidered.

A vote being taken on the main question, "Shall senate bill No. 118 be ordered engrossed for a third reading?" the same was lost.

Mr. Cogswell now submitted the following:

I move to amend senate bill No. 118 by adding to line 34, section 4 (printed bill), the following words: *provided further*, that in Lake county no person, company or corporation shall be required to dip or treat any ewes at any time from the first day of April to the first day of July.

Which motion prevailed.

On motion of Mr. Cogswell, senate bill No. 118 was ordered engrossed for a third reading to-morrow.

Senate bill No. 177 was read a second time.

Mr. Tongue moved to amend as follows:

Strike out of line 2 of printed bill after word "kind" the words "in this State." Also strike out of line 3 of printed bill after "periodical" the words "in this State."

Which motion prevailed.

Mr. Cogswell moved to amend as follows:

To add the word "person" after the word "any" in first line of printed bill, and also to add the words "or corporation" after the word "company" in first line of printed bill.

Which motion prevailed.

On motion of Mr. Veatch, senate bill No. 177 was ordered engrossed for a third reading to-morrow.

Senate bill No. 178 coming on for a second reading, Mr. Watkins moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cauthorn and Steel—3.

So the rules were suspended and the bill was read a second time by title and referred to the committee on judiciary.

Senate bill No. 176 was read a second time and referred to the committee on fishing industries.

By unanimous consent, Mr. Tongue introduced senate bill No. 188, being a bill for an Act to amend the charter of the town of Hillsboro, Oregon.

Mr. Tongue moved that the rules be suspended and the bill be read a first time by title.



The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Raley and Steel—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading.

Mr. Tongue moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Raley and Steel—2.

So the rules were suspended and the bill read a second time by title, and on motion of Mr. Tongue, ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Fullerton introduced senate bill No. 189, being a bill for an Act for the relief of Mrs. N. J. McPherson and minor children.

Mr. Fullerton moved that the rules be suspended and that the bill be read a first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Steel.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:



Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dimick and Steel—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on claims.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 6, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house joint memorial No. 7 and house joint memorial No. 10 have been reported correctly enrolled, and have been signed by the Speaker.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house joint memorial No. 7 and house joint memorial No. 10, and shortly afterwards stated that he had signed the same.

Senate joint resolution No. 4 coming on for consideration, was read and Mr. Cogswell moved that it be adopted.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wait, Watkins, Watts, and Mr. President—24.

Nays—Mr. Veatch.

Absent—Messrs. Barin, Cauthorn, Dawson, Steel and Wager—5.

So senate joint resolution No. 4 was declared adopted.

Senate joint memorial No. 7 coming on for consideration, was read, and Mr. Fullerton moved that it be adopted.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cogswell, Fullerton, Gray, Hamilton, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, and Mr. President—14.

Nays—Messrs. Cauthorn, Chamberlin, Chandler, Dimick, Eakin, Hatch, Looney, Veatch, Wager, Watkins and Watts—11.

Absent—Messrs. Dawson, Stanley, Steel, Tongue and Wait—5.

So the motion to adopt was lost.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 63, 56, 1, 15, 35, 67, 9, 55, 65, 62, 6 and 79, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 53, 3 and 69, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 47 and 70, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 50, 66, 19, 11, 38 and 7, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 1, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 32 and 23, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 182 and 149, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 145 and 117, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 31, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 7, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## THIRD READING OF SENATE BILLS.

Senate bill No. 1 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Tongue, Wait, Watkins, Watts—23.

Nays—Messrs. Raley, Veatch, Wager and Mr. President—4.

Absent—Messrs. Cauthorn, Dawson and Steel—3.

So the bill passed, and the title of the bill declared to stand as the title of the Act.

Senate bill No. 3 was read the third time.

The question now being, "Shall the bill pass?" Mr. Dawson moved that the bill be referred to the committee on agriculture with instructions to so amend it as not to make the Act applicable to Lane, Linn and Marion counties.

Which motion prevailed and the bill was so referred.

Mr. Dawson moved that the committee on agriculture have leave to report senate bill No. 3 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Steel—2.

So the motion prevailed.

Senate bill No. 6 was read the third time.

The question now being, "Shall the bill pass?" Mr. Raley moved that the bill be recommitted to the committee on claims with instructions to amend as follows:

Strike out the words "Joel J. Hembree" in line 2 of the printed bill and insert in lieu thereof the following: "the heirs of Captain A. Hembree."

Which motion prevailed, and senate bill No. 6 was re-referred to the committee on claims with said instructions.

Senate bill No. 7 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Sinclair and Steel—3.

So the bill passed, and there being no objections, the title of the bill was declared to stand as the title of the Act.

Senate bill No. 8 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Cogswell, Dawson and Steel—3.

So the bill passed, and there being no objections, the title of the bill declared to stand as the title of the Act.

Senate bill No. 9 was read the third time.

The question now being, "Shall the bill pass?" Mr. Moore moved that the bill be re-referred to the committee on counties with instructions to amend the same as follows: Strike out the word "Tillamook" in line 9 of the printed bill and insert the word "Tillamook" after the word "Malheur" in the 8th line.

Strike out the word "Yamhill" in the 9th line and insert the word "Yamhill" after the word "Washington" in the 5th line.

Mr. Wager moved to amend the motion so that senate bill No. 145 be jointly referred with senate bill No. 9, to the committee on counties.

Which amendment Mr. Moore accepted as part of the original motion.

A vote being taken, the motion prevailed, and senate bill No. 9 and senate bill No. 145 were jointly re-referred to the committee on counties.

Mr. Eakin now moved that the committee on counties have leave to report on senate bill No. 9 and senate bill No. 145 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—Mr. Irvine.

Absent—Mr. Steel.

So the motion prevailed.

On motion of Mr. Raley, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

THURSDAY, FEBRUARY 7, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Wager.

Prayer was offered by Rev. P. R. Burnett of Salem.

The journal of yesterday was read and approved.

The courtesies of the senate were extended to Hon. J. W. McConnel, an ex-Senator of the legislature of State, and he was provided with a seat within the bar of the senate.

On motion of Mr. Chamberlin, the vote by which senate joint memorial No. 7 failed to be adopted on yesterday, was reconsidered.

Senate joint memorial No. 7 was now read again and the main

question being now put, "Shall senate joint memorial No. 7 be adopted?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wait, Watts, and Mr. President—21.

Nays—Messrs. Chandler, Dimick, Looney, Steel, Veatch and Watkins—6.

Absent—Messrs. Barin, Cauthorn and Wager—3.

So senate joint memorial No. 7 was declared adopted.

On motion of Mr. Carson, the vote by which senate bill No. 6 was re-referred to the committee on claims with instructions to amend, was reconsidered.

The question now being on the re-commitment of senate bill No. 6 to the committee on claims, a vote was taken and the motion to re-commit was lost.

The question now being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Looney, Mackay, Moore, Sinclair, Steel, Wait, Watts, and Mr. President—19.

Nays—Messrs. Chandler, Cogswell, Hilton, Irvine, Norval, Raley, Stanley, Tongue, Veatch and Watkins—10.

Absent—Mr. Wager.

So senate bill No. 6 passed, and there being no objections, the title of the bill was declared to stand as the title of the Act.

Mr. Looney, chairman of the committee on agriculture, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your committee on agriculture, to whom was referred senate bill No. 3, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Strike out all of section 20 in engrossed bill and insert the

following: Section 20. The counties of Lane, Linn and Marion are excepted from the provisions of this bill.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, the foregoing amendment was adopted.

Senate bill No. 3 was now read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Wager—2.

So the bill passed, and there being no objections, the title of the bill was declared to stand as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house joint memorial 6 and house joint resolution 6 have been reported correctly enrolled and have been signed by the Speaker.

And the same are herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The president announced that he was about to sign house joint memorial No. 6 and house joint resolution No. 6, and shortly afterward stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 9, providing for an agent to take



charge of an exhibit of the resources of Oregon, prepared by the State board of agriculture, and convey the same to the Buffalo international fair association for display at its fair held in the city of Buffalo, September 3d to 13th, 1889, and to pay the expenses of said agent for said purpose.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 9 accompanying the foregoing message was read, and on motion of Mr. Cogswell, referred to the committee on judiciary.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate joint memorial No. 7.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint memorial No. 7 was ordered enrolled.

Mr. Hatch moved that the rules be suspended and the committee on education be given leave to report at any time on house bill No. 43.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Steel, Tongue, Veatch, Wait, Watts, and Mr. President—20.

Nays—Messrs. Cogswell, Fullerton, Gray, Hamilton, Raley, Sinclair, Stanley and Watkins—8.

Absent—Messrs. Barin and Wager—2.

So the motion prevailed, and the committee on education were granted leave to report at any time on house bill No. 43.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill No. 9 and senate bill 145, recommend the following amendments :

## FIRST AMENDMENT.

That the word " Yamhill " be inserted after the word " Wash- ington " in line 5 of the printed bill.

## SECOND AMENDMENT.

That the word " Yamhill " in line 7 be stricken out.

## THIRD AMENDMENT.

That the word " Tillamook " be stricken out of line 9.

## FOURTH AMENDMENT.

That after the word " Governor " in the emergency clause and the last line of the written bill No. 9, the following be added : *provided*, that the provisions of this bill No. 9 shall not apply to Douglas county until after the April term, 1889, of the county court of said Douglas county.

And your committee beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that senate bill No. 9 do pass with said amendments.

J. W. NORVAL,  
Chairman.

On account of a clerical error in not inserting the county of Tillamook in the proper place in the foregoing amendments, senate bill No. 9 and senate bill No. 145, together with said amendment, were returned to said committee for correction and engrossment.

Senate bill 11 was read the third time.

The question now being, " Shall the bill pass ? " the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Sinclair, Steel and Wager—4.

So the bill passed, and there being no objections, the title of the bill was declared to stand as the title of the Act.

Senate bill No. 15 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—26.

Nays—Messrs. Cauthorn, Veatch and Wager—3.

Absent—Mr. Chandler.

So senate bill No. 15 passed, and there being no objections, the title of the bill was declared to stand as the title of the Act.

Senate bill No. 19 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Messrs. Cauthorn and Veatch—2.

Absent—Mr. Sinclair.

So the bill passed, and there being no objections, the title of the bill was declared to stand as the title of the Act.

On motion of Mr. Hamilton, the senate adjourned.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Cauthorn, Dawson, Gray, Norval and Veatch.

On motion of Mr. Carson, the courtesies of the senate were extended to Hon. H. B. Miller, an ex-Senator from Josephine county, who was provided with a seat within the bar of the senate.

At this time came on the consideration of the Governor's veto message to senate bill No. 17, under special order.

The question being, "Shall the bill pass notwithstanding the objection and veto of the Governor?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Dimick, Irvine, Looney, Tongue, Veatch and Wager—6.

Absent—Mr. Dawson.

So senate bill No. 17 was declared passed notwithstanding the Governor's objection and veto.

On motion of Mr. Watts, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

FRIDAY, FEBRUARY 8, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chandler, Chamberlin and Norval.

Prayer was offered by Rev. Rollins of Salem.

Mr. Barin requested to be excused from attendance on the session to-day on account of illness.

Which request was granted.

On motion of Mr. Stanley, the reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. Watts introduced senate bill No.

190, being a bill for an Act to incorporate the city of McMinnville, Yamhill county, Oregon.

Mr. Watts moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watts moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Chandler—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts, referred to the committee on corporations.

By unanimous consent, Mr. Mackay introduced senate bill No. 191, being a bill for an Act to amend section 2757 of title III of chapter XVII of the laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Mackay moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Veatch—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Mackay moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Veatch—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Mackay, referred to the committee on judiciary with instruction to have the same printed if deemed advisable.

By unanimous consent, Mr. Hatch introduced senate bill No. 192, being a bill for an Act to provide for the submission to the legal voters of the relocation of the county seat of Polk county.

Mr. Hatch moved that the rules be suspended and the bill be read a second time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cauthorn moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read a second time by title, and Mr. Hatch moved that the bill be considered engrossed

and that the rules be still further suspended and the bill read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Sinclair—2.

So the bill passed, and there being no objections, the title of the bill declared to stand as the title of the Act.

By unanimous consent, Mr. Moore introduced senate bill No. 193, being a bill for an Act to amend section 4227, chapter LXXXV, of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Moore moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore moved that the rules be further suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Cauthorn—2.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Moore, referred to the committee on fishing industries, with instructions to have the same printed if deemed advisable.

By unanimous consent, Mr. Gray introduced senate bill No. 194, being a bill for an Act to amend an Act entitled an Act authorizing county courts to build armories in cities of over 3000 inhabitants, and to provide for the use thereof.

The bill was read the first time and passed to a second reading without a question.

Mr. Dimick moved that the rules be suspended and the bill be read a second time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cauthorn and Fullerton—3.

So the rules were suspended and the bill read a second time by title and was referred to the committee on military affairs, with instructions to have the same printed if deemed advisable.

By unanimous consent, Mr. Stanley introduced senate bill No. 195, being a bill for an Act to amend the charter of the town of Jacksonville, Jackson county, Oregon.

Mr. Stanley moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Dimick, Fullerton and Steel—4.



So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Fullerton and Steel—3.

So the rules were suspended and the bill read a second time by title and referred to the committee on corporations with instructions to have the same printed if deemed advisable.

By unanimous consent, Mr. Wait introduced senate bill No. 196, being a bill for an Act to prevent nuisances.

Mr. Wait moved that the rules be suspended and that the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Fullerton and Steel—3.

So the rules were suspended and the bill was read the first time by title, and passed to a second reading without question.

Mr. Wait moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Fullerton, Norval, Sinclair, Steel and Veatch—6.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wait, referred to the committee on federal relations with instructions to have the same printed if deemed advisable.

W<sup>r</sup>. Watkins, chairman of the committee on enrolled bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 169, senate joint resolution No. 1 and senate joint memorial No. 7, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 7, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 108, to incorporate the city of Pendleton.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 108 coming on for the first reading, Mr. Raley moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Fullerton, Steel and Veatch—4.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Raley moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Steel—2.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 7, 1889. )

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 145, to amend section 2316 of the miscellaneous laws of Oregon, as compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 145 accompanying the foregoing message was read the first time and passed to a second reading without a question.

Mr. Fullerton moved that the rules be suspended and that the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Hatch and Steel—3.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

The President announced that he was about to sign senate bill No. 17 as having passed over the Governor's veto, and shortly afterwards stated that he had signed it.

## THIRD READING OF SENATE BILLS.

Senate bill No. 20 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Barin.

So the bill passed, and there being no objection, the title of the bill was ordered to stand as the title of the Act.

Mr. Hatch, chairman of the committee on education, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on education, to whom was referred senate bill No. 74, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

Mr. Cauthorn moved that senate bill No. 74 be considered engrossed and read the third time and placed upon its final passage now.

Which motion prevailed.

Senate bill 74 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Veatch, Wait, Watts, and Mr. President—22.

Nays—Messrs. Chandler, Hilton, Irvine, Norval, Wager and Watkins—6.

Absent—Messrs. Barin and Stanley—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Mr. Carson, chairman of the joint committee to examine into the management of the State university at Eugene city, pursuant to house concurrent resolution No. 9, submitted the following:

#### REPORT.

SALEM, Oregon,  
February 7, 1889. }

*To the Honorable the Legislative Assembly of the State of Oregon:*

We, your committee appointed under house concurrent resolution No. 9, do most respectfully submit:

That in accordance with said resolution your committee spent the entire day and evening on February 1st, in a careful and considerate examination of the various departments and workings of the university of Oregon.

We desire at this time and in this manner to publicly express our appreciation of the kind, courteous and frank way in which the faculty and officers of the university assisted us in the labors of our examinations. To them and their kindness we are indebted for much of the valuable information we are enabled to furnish regarding one of the most worthy and creditable institutions of the State.

We critically examined each department and with special reference to each and every one, we are proud to report that we found them a model of neatness, complete in arrangement and perfect in order. We are especially impressed with the intent interest with which both faculty and students are imbued in the great educational work of the State, and can realize and report that the university of Oregon, in theory, practice and result, is an institution of learning of which this State and each individual citizen may well be proud. The results of its work are being made known, and without inquiry the knowledge is broadcast that the graduates of the university of Oregon stand second to those of no other institution on the coast.

Your committee visited the several class recitations, and can testify to the thoroughness of the work and the high order of scholarship exhibited.

We are pleased to note and report to your honorable body that the present school year is an exceedingly prosperous one, the records showing an increase of fifty-six in the collegiate department over last year, or an increase of a little more than 44 per cent. This fact

in itself bespeaks great credit for the management, and, when taken in connection with the growing reputation of the institution for its diligence and thoroughness in the preparation and completion of its graduates, assures us that we cannot too strongly urge upon the State the necessity of lending such encouragement and assistance as will enable the management to complete and carry out the high grade of educational facilities for which the school was intended. Your committee were impressed by the earnestness and dignified bearing of the students—young men and women gathered from every portion of the State.

We recognize in the university of Oregon a school calculated to mature and fit the minds of the young men and women of our State with the higher educational attainments of a thorough collegiate course. We recognize in it a college for the completion of an education which will qualify the young men and women of our State to compare and cope with the collegiate graduates of any other State in the Union.

Among the students in attendance we found the following counties represented by scholarships:

Baker county	1
Benton county	4
Clatsop county	4
Coos county	1
Crook county	1
Douglas county	2
Jackson county	4
Klamath county	2
Lake county	3
Lane county	7
Linn county	9
Marion county	10
Morrow county	1
Multnomah county	7
Polk county	5
Umatilla county	1
Union county	1
Wasco county	4
Yamhill county	3
Total	70

These scholarships represent nineteen of the counties of the State.

Over one-half of these scholarships are held by persons who,

without them, would be unable to avail themselves of the opportunities they now enjoy. We are informed that many needy students work for their board, and this class of students, as a rule, stand highest in their classes.

We have made a careful examination of the books and records of the school, and find them kept in a neat and intelligent manner, from which we are enabled to abstract the following facts relating to the students:

We find the whole number of students enrolled since the beginning of the present school year, to-wit, September 17, 1888, to be 183.

The total number enrolled for the term ending December 21, 1888, was 161.

Total number enrolled for the present term, 166, and the number in actual attendance at the present time is 162.

Of this number, 47 are college students, 3 are post graduate students from California, and 28 are preparatory students taking college studies; making the total doing college work, 78; leaving 84 as the number of preparatory students.

The benefits of the school we find to extend to all parts of the State, as is evidenced by the fact that of the total number of students enrolled, less than one-fifth reside in Lane county, and of those residing there a large number have moved there to receive the benefits of the university during the school year.

In addition to the number of students already mentioned, we refer you to the report of the president of the board of regents, setting forth the statistics of the law and medical departments of the school, which are in a flourishing and satisfactory condition as to instructors and students. These two departments are maintained at Portland, because of the very superior facilities there offered.

A most important feature of our investigation suggests itself in the fact that the poor and actually needy students of the university are those whom the records show to be the highest in deportment and standing. The young men and women who avail themselves of State scholarships, and from their own labor earn a sustenance while in attendance upon the school, are the students who go out as graduates, to the honor of our State. With this fact in view, your committee has given much attention to the subject of free scholarships.

We find, on examination of the rules governing similar institutions in other States, that the policy of giving free tuition has been generally adopted. Among the States which have adopted this policy are Arkansas, California, Colorado, Georgia, Illinois, Indiana, Kansas, Louisiana, Michigan, Minnesota, Mississippi, Missouri,

Nebraska, Ohio, Pennsylvania, Virginia and Wisconsin, while the State of Iowa charges an annual fee of \$25 only. In behalf of the important educational interests of the State, we recommend a liberal policy on the part of our own State towards our university. The experience of the other States of the Union fully indicates that the safest plan and the higher safeguard is to put higher education within the reach of the poor, because we cannot afford to endow the rich alone with the power incident to trained and cultivated minds.

Following this policy, and in the line of these older States, your committee, after mature consideration, are fully convinced that the best educational interests of our State demand that the university of Oregon be placed as nearly as possible on a free basis, thereby placing a collegiate education within the reach of the poor as well as the rich. We are convinced that this may be done with comparatively little additional taxation or burden upon the State. The present assessment of one-tenth of one mill raises an annual revenue of about \$8,900. Increasing this revenue to one-seventh of a mill, or about one twenty-fourth more than at present, would raise an additional revenue of \$3,600, or a total annual income of about \$12,500, which, we are informed, would, together with other resources of the university, be sufficient, under economic management, to place the school upon the basis mentioned.

We would recommend that all applicants for admission be required to pass the same examination, and in the same manner as is required under the present system.

We have examined house bill No. 104, introduced by Mr. Condon, and find that our views and ideas are as fully expressed in said bill as we might express them in a bill prepared by us, and in the educational interests of the State we recommend its enactment.

J. C. CARSON,

J. H. RALEY,

On the part of the Senate.

W. M. LADD,

J. B. R. MORELOCK,

J. L. ROE,

On the part of the House.



## MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 8, 1889. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has approved and signed the following bills:

## SENATE BILL NO. 34.

"An Act to incorporate the city of Halsey in the county of Linn, State of Oregon."

## HOUSE BILL NO. 124.

"An Act to change the name of Bully creek in Malheur county."

## HOUSE BILL NO. 52.

"An Act to amend section 1548 of chapter XXXIV, title I, criminal procedure, of the general laws of Oregon, as annotated and compiled by W. Lair Hill."

And the same have been this day filed in the office of the Secretary of State.

WM. A. MUNLEY,  
Private Secretary.

## THIRD READING OF SENATE BILLS.

Senate bill No. 23 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—27.

Nays—Mr. Wait.

Absent—Messrs. Barin and Cauthorn—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Fullerton, the courtesies of the senate were

extended to Mr. Abraham, of Roseburg, Oregon, who was provided with a seat within the bar of the senate.

Senate bill No. 31 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Steel, Tongue, Wait, Watts, and Mr. President—22.

Nays—Messrs. Raley, Wager and Watkins—3.

Absent—Messrs. Barin, Cauthorn, Dimick, Stanley and Veatch—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Carson moved that when the senate adjourns it adjourn until next Monday at 2 o'clock P. M.

Carried.

On motion of Mr. Dawson, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

MONDAY, FEBRUARY 11, 1889.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Cauthorn.

On motion of Mr. Fullerton, the reading of the journal of yesterday was dispensed with.

Mr. Sinclair moved that the rules be suspended and house bill No. 46 be taken up and read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin,

Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—Messrs. Chamberlin, Dimick and Veatch—3.

Absent—Mr. Barin.

So the rules were suspended and house bill No. 46 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—23.

Nays—Messrs. Dawson, Dimick, Eakin, Irvine, Looney, Veatch and Watts—7.

Absent—None.

So the bill was declared passed.

Mr. Cogswell moved that the rules be suspended and house bill No. 13 be taken up, read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Messrs. Carson, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—21.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Looney, Veatch and Watts—7.

Absent—Messrs. Barin and Cauthorn—2.

So the rules were suspended and house bill No. 13 was taken up and read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Irvine, Looney, Veatch, and Watts—8.

Absent—None.

So the bill was declared passed.

Mr. Raley moved that the rules be suspended and house bill No. 93 be taken up, read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—Messrs. Carson, Chamberlin, Dimick, Eakin, and Veatch—5.

Absent—Mr. Barin.

So the rules were suspended and house bill No. 93 was read the third time.

The question now being, "Shall the bill pass?"

Pending the passage of house bill No. 93, Mr. Gray moved a call of the senate.

Upon the roll being called, all the Senators were present except Messrs. Barin and Cogswell.

The Sergeant-at-Arms was instructed to notify Messrs. Barin and Cogswell to appear within the bar of the senate, who subsequently appeared.

On motion of Mr. Watts, the further call of the senate was dispensed with.

The question now recurring on the passage of house bill No. 93, the President again stated the question, "Shall the bill pass?"

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Irvine, Looney, Watts and Veatch—8.

Absent—None.

So house bill No. 93 was declared passed.

Mr. Moore moved that the rules be suspended and house bill No. 91 be taken up and read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Messrs. Chamberlin and Veatch—2.

Absent—Mr. Steel.

So the rules were suspended and house bill No. 91 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Dawson, Dimick, Eakin, Irvine, Looney, and Veatch—6.

Absent—Mr. Steel.

So senate bill No. 91 was declared passed.

Mr. Watts asked and obtained unanimous consent, as chairman of the committee on corporations, to submit the reports of his committee on hand, and therefore submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 46, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. W. WATTS,  
Chairman.

On motion of Mr. Dawson, the further consideration of senate bill No. 46 was indefinitely postponed.

Mr. Watts, chairman of the committee on corporations, submitted by unanimous consent, the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 167, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the senate without recommendation.

J. W. WATTS,  
Chairman.

On motion of Mr. Veatch, the further consideration of senate bill No. 167 was indefinitely postponed.

Mr. Watts, chairman of the committee on corporations, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 190, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, senate bill No. 190 was considered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 95, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

#### AMENDMENT.

In lines 16 and 17 of the printed bill strike out the words "*provided*, no city license shall be less than now prescribed by the statutes," and insert instead thereof the following: "*provided, however*, that no license for the sale of spirituous, vinous or malt liquors

shall be issued for a sum less than is prescribed by the general laws of the State of Oregon for licensing the sale of spirituous, vinous or malt liquors in force at the time of issuing such license."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendment was adopted.

On motion of Mr. Watts, the bill was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 165, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

#### AMENDMENT.

That the following words be added to subdivision 5 of section 146 of the bill: "*provided, however,* that no license for the sale of spirituous, vinous or malt liquors shall be issued for a sum less than is prescribed by the general laws of the State of Oregon for licensing the sale of spirituous, vinous or malt liquors in force at the time of issuing such license."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendment was adopted.

On motion of Mr. Watts, senate bill No. 165 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate

bill No. 185, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

Change the title of the bill so as to read: A bill for an Act to amend sections 2 and 9 of an Act entitled an Act to incorporate the town of Rainier, in the county of Columbia, in the State of Oregon, approved November 25, 1885.

SECOND AMENDMENT.

Add two more sections to the bill, as follows:

Section 2. That section 9 of the Act incorporating the town of Rainier, in the county of Columbia, in the State of Oregon, approved November 25, 1885, be amended so as to read as follows:

Section 9. The board of trustees shall keep a record of their proceedings and meet at least once each month and at such other time as the president may appoint; *provided*, that no one shall be eligible to the office of trustee who is not at the time of his election an owner of real estate within the corporate limits of said town. They shall judge of the qualification and election of their own members, and decide contested elections of all town officers, and at any meeting shall have power, as follows:

1. To assess, levy and collect taxes for general purposes within the town limits, said tax not to exceed two and a half mills on the dollar per annum; to issue warrants and levy on real or personal property of delinquent tax payers, and cause the same to be sold and conveyances made therefor in the same manner as real and personal property is sold to satisfy delinquent State and county taxes; *provided*, that the town recorder and town marshal in the enforcement hereof shall have similar powers to the county clerk and sheriff of said county of Columbia, to prevent and suppress riot, disturbances, noise, obscene language, drunkenness and disorderly conduct or assemblages at any time or place within the limits of the corporation; to make by-laws and ordinances not in conflict with the laws of this State or of the United States, and all necessary provisions for carrying them into effect.

2. To levy a poll tax of not less than one nor more than two dollars on the male residents of the town over the age of twenty-one and under the age of fifty years.

3. To license, tax and regulate auctioneers, taverns, hawkers and peddlers, and all other trades and occupations.



4. To license, tax, regulate, restrain or prohibit the sale of spirituous, vinous or malt liquors; *provided, however*, that no license for the sale of spirituous, vinous or malt liquors shall be issued for a sum less than is prescribed by the general laws of the State of Oregon for licensing the sale of spirituous, vinous or malt liquors in force at the time of issuing such license.

5. To license, tax and regulate theatrical and other exhibitions, shows, public amusements, billiards and pigeon-hole tables and bowling alleys, and to prohibit and suppress bawdy houses, gaming and gambling houses.

6. To make regulations to prevent the introduction of contagious diseases into the town, and to secure the protection of persons and property therein; and also to provide for the health, cleanliness, peace and good order of the town, and to prevent and remove nuisances therefrom.

7. To provide for the prevention and extinguishment of fires, and for the preservation of property endangered thereby, and for the appointment of officers required for such purposes.

8. To provide for the prevention and removal of obstructions from the streets, cross and sidewalks, and for the laying out, construction, repairing and cleaning of the same.

9. To impose fines, penalties and forfeitures.

10. To compel by ordinance the owners of lots to construct and repair sidewalks and maintain the same along the street adjacent to said lots at the cost of the owner thereof.

11. To establish and open streets and alleys within the limits of said town in continuation of those now or hereafter to be laid out or established within the proper limits of the said town.

12. The cost of establishing or changing the grade of any street or part thereof, or building or keeping in repair crosswalks, shall be paid out of the general fund of the town.

Section 3. Inasmuch as it is necessary that the changes provided for in this Act shall be made as soon as possible, this Act shall take effect and be in force from and after its approval by the Governor.

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendments were adopted.

On motion of Mr. Watts, senate bill No. 185 was ordered engrossed for a third reading to-morrow.

Mr. Watts, chairman of the committee on corporations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 195, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

## AMENDMENT.

Add to section 5, "*provided, however*, that no license for the sale of spirituous, vinous or malt liquors shall be issued for a sum less than is prescribed by the general laws of the State of Oregon for licensing spirituous, vinous or malt liquors in force at the time of issuing such license."

J. W. WATTS,  
Chairman.

On motion of Mr. Watts, the foregoing amendment was adopted.

On motion of Mr. Watts, senate bill No. 195 was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Eakin introduced senate bill No. 197, being a bill for an Act to authorize Lane county to issue bonds to construct a court house and jail.

Mr. Eakin moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Sinclair—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Eakin moved that the rules be further suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Dawson and Steel—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Eakin moved that the rules be still further suspended and the bill be read a third time by title now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Steel—2.

So the rules were suspended and the bill was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Sinclair, Stanley, Steel and Watts—19.

Nays—Messrs. Cauthorn, Chandler, Moore, Tongue, Veatch, Wager, Wait, Watkins and Mr. President—9.

Absent—Messrs. Barin and Dawson—2.

So the bill passed, and the title of the bill was ordered to stand as the title of the Act.

By unanimous consent, Mr. Wager introduced senate bill No. 198, being a bill for an Act to provide for the times and places for holding terms of the circuit court in the sixth judicial district.

Mr. Wager moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Dawson.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Wager moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Dawson.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager, referred to a special committee composed of the Senators from the sixth judicial district.

Mr. Moore, on behalf of the committee on education, introduced senate bill No. 199, being a bill for an Act to amend section 2609, title IV, chapter XVI, of the miscellaneous laws of Oregon.

Mr. Moore moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Dawson and Steel—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Carson, Dawson and Steel—3.

So the rules were suspended and the bill was read a second time by title.

Mr. Moore moved that the bill be considered engrossed and the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Steel—2.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and vote was :

Those voting aye were :

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Carson and Stanley—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

By unanimous consent, Mr. Gray introduced senate bill No. 200, being a bill for an Act to amend an Act to incorporate the city of Astoria.

Mr. Gray moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Hatch, Stanley, and Steel—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Gray moved that the rules be suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Stanley and Steel—4.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Gray, considered engrossed for a third reading to-morrow.

Mr. Fullerton moved that the consideration of senate bill No. 79 be made the special order for to-morrow morning at 10:30 o'clock.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Stanley, and Steel—6.

So the rules were suspended and senate bill No. 79 was made the special order for to-morrow morning at 10:30 o'clock.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 96, to amend section 3458, title II, chapter XL, Hill's code.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 141, to amend the code in relation to appeals.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 53, to amend section 968 of Hill's code, relating to the drawing of jurors.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 153, to amend section 2057, chapter III, general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 80, to repeal an Act known as the specific contract law.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 77, to amend title I of chapter XXIII, of the laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 65, an Act regulating the loaning of money by co-operative loan associations.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 42, to amend sections 1932 and 1940, of the codes and general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 11, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 104, a bill for an Act to amend sections 1, 2 and 3, and to repeal section 4 of an Act entitled an Act to aid in the support of the university of Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 41, to amend section 552, chapter VI, code of civil procedure.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint memorial No. 8, praying congress to set aside as a public park or reserve from the summit and down the slopes on each side for a certain distance.[?]

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint memorial No. 8 accompanying the foregoing message was read, and on motion of Mr. Cauthorn, referred to the committee on public lands.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 8, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate joint memorial No. 7, senate joint resolution No. 1 and senate bill No. 169.

And the same are herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate joint memorial No. 7, senate joint resolution No. 1 and senate bill No. 169, and shortly afterwards stated that he had signed them.

Mr. Tongue moved that when the senate adjourns it adjourn to meet this evening at 7:30 o'clock.

Which motion prevailed.

On motion of Mr. Dawson, the senate adjourned.

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EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present.

Mr. Fullerton moved that the rules be suspended and that the committee on claims have leave to report senate bill No. 85 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Dimick, and Hatch—3.

So the motion prevailed and the committee on claims granted leave to report senate bill No. 85 at any time.

Mr. Wait, chairman of the committee on claims, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President :*

Your committee on claims, to whom was referred senate bill No. 85, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

After the word " of " in the fifth line of section 1 of the printed bill strike out the words "any funds not otherwise appropriated" and substitute the words "the funds designated by the said Act of October 19, 1872."

SECOND AMENDMENT.

Strike out all of section 2.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, the foregoing amendments were adopted.

On motion of Mr. Wait, senate bill No. 85 was ordered engrossed for a third reading to-morrow.

Mr. Irvine, chairman of the special committee composed of Senators from Linn county, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 5, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

## FIRST AMENDMENT.

Strike out all that part of section 1 of the printed bill commencing with the figures "3270" in line 7 of said section down to and inclusive of the figures "61" in line 13 of said section, and insert in lieu thereof the following: "to a point on the east boundary of said claim where the north line of Ninth street in the city of Albany, Oregon, if extended eastward in a straight line, would intersect said claim line; thence S. 81° W. to the southwest corner of block No. 18 in Hackleman's second addition to the city of Albany; thence S. 40° 49' west along the northwesterly boundary of lands of T. Egerton Hogg to the west boundary of said donation land claim of Abraham Hackleman; thence southward along said west line of said claim to the north line of Twelfth street in the city of Albany; thence westward along said north line of Twelfth street to the southwest corner of block No. 105 in Montieth's addition to the city of Albany; thence northward along the east line of Elm street to the north line of Ninth street in the city of Albany; thence westward along said north line of Ninth street to the southwest corner of block No. 61."

## SECOND AMENDMENT.

Section 9, lines 1 and 2, strike out the words "liquors, brandy, wine and all fermented and malt liquors, beer and ale," and insert instead thereof the words "vinous or malt liquors."

## THIRD AMENDMENT.

Section 9, line 9, after the word "answer" add the following words: "*provided further*, that no license for the sale of spirituous, vinous or malt liquors shall be issued for a sum less than is prescribed by the general laws of the State for the license of the sale of spirituous, vinous or malt liquors in force at the time of the issuance of such license."

R. A. IRVINE,  
S. A. DAWSON.

On motion of Mr. Irvine, the foregoing amendments were adopted.

On motion of Mr. Irvine, senate bill No. 5 was ordered engrossed for a third reading to-morrow.

Mr. Gray moved that the rules be suspended and the committee on railroads granted leave to report at any time on senate bills Nos. 75 and 116.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Hatch.

So the rules were suspended and the committee on railroads granted leave to report at any time on senate bills Nos. 75 and 116.

Mr. Steel, chairman of the committee on railroads, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 75, an Act to amend chapter LXXIII, general laws, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

G. A. STEEL,  
Chairman.

Mr. Wager offered the following amendments to senate bill No. 75:

#### FIRST AMENDMENT.

Strike out all of lines 5, 6, 7, 8 and 9 of section 1, and insert in lieu thereof the following: "Which shall be styled the railroad commissioner of Oregon, and shall consist of one person who is a qualified elector of this State, and who has been a resident thereof for three years prior to his election."

#### SECOND AMENDMENT.

In line 3 of section 2 strike out the words "said commissioners constituting said board," and insert in lieu thereof the following: "Said railroad commissioner of Oregon."

## THIRD AMENDMENT.

In line 4 of section 2 of printed bill strike out "their" and insert in lieu thereof the word "his," and in line 5 of section 2 strike out the words "their successors" and insert the words "his successor."

## FOURTH AMENDMENT.

Strike out all of lines 3, 4, 5 and 6 of section 3 and insert in lieu thereof the following: "Section 4007. Said commissioner shall receive an annual salary of five hundred dollars (\$500), to be paid quarterly as the salary of other officers are paid. He shall receive no additional compensation or pay whatever for clerk hire."

Mr. Wager moved the adoption of the foregoing amendments and a vote being taken the same was lost.

Mr. Veatch offered the following:

I move to strike out all of line 8, section 1, after the word "board" and all of line 9.

A vote being taken on the above amendment, the same was lost.

Mr. Irvine moved to amend section 1 by adding to it as follows: "The said board shall have the power to fix maximum rates of freight to be charged by the various railroads of the State between all points within the State."

Mr. Steel moved that senate bill No. 75 be considered engrossed, and that the rules be suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—26.

Nays—Messrs. Cogswell, Irvine, Veatch, and Wager—4.

Absent—None.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?"

After considerable discussion on the merits of the bill, Mr. Fullerton moved that the main question be now put.

A vote being taken, the motion prevailed.

The question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Daw-

son, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts and President—26.

Nays—Messrs. Cogswell, Irvine, Veatch, and Wager—4.

Absent—None.

So the bill passed, and there being no objection, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Fullerton, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

TUESDAY, FEBRUARY 12, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present.

Prayer was offered by Rev. F. P. Tower of Salem.

On motion of Mr. Tongue, the reading of the journal of yesterday was dispensed with.

A statement of a claim of Matthew P. Deady, for balance of compensation as referee in the State cases in 1880 was presented by Mr. Tongue, which, on his motion, was referred to the committee on claims.

Mr. Steel, chairman of the committee on railroads, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 116, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

**FIRST AMENDMENT.**

Amend section 1, printed bill, by inserting in line 12 after the words "Clatsop county," "and which shall be used."

**SECOND AMENDMENT.**

In line 15, same section, after the words "of such width" insert "and at such place."

**THIRD AMENDMENT.**

In line 16, same section, after the words "said bridge" insert the word "so."

**FOURTH AMENDMENT.**

In line 18, same section, after the words "be less than" insert the words "one hundred and ten."

In line 23, same section, strike out the word "whose" and insert in lieu thereof the word "its."

In line 30, same section, strike out the "if" and insert after the word "vicinity" the words "if any."

**FIFTH AMENDMENT.**

Amend section 3 by inserting in line 11 after the words "in good faith," "and perform the other conditions herein provided."

G. A. STEEL,  
Chairman.

On motion of Mr. Steel, the foregoing amendments were adopted.

On motion of Mr. Gray, senate bill No. 116 was ordered engrossed for a third reading to-morrow.

By unanimous consent, Mr. Tongue, on behalf of the committee on roads and highways, introduced senate bill No. 201 as a substitute for senate bills Nos. 73, 78 and 87, being a bill for an Act to amend sections 4061, 4070, 4084 and 4085 of title I, chapter LXXVI, of miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

Mr. Tongue moved that the rules be suspended and the bill be read a first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:



Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—Mr. Hatch.

Absent—Messrs. Barin, Norval and Sinclair—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

### THIRD READING OF SENATE BILLS.

Senate bill No. 32 was read the third time.

The question now being, "Shall the bill pass?" Mr. Tongue offered the following:

I move that senate bill No. 32 be referred back to the committee on education, with instructions to amend said bill in the following particulars:

First—By striking out all of section 4 of said bill.

Second—To strike out the word "appropriation" in 2d line of 6th section of printed bill, and the word "appropriation" in line 7 of section 6 of printed bill, and the words "appropriated for carrying out the provisions of this Act," and in lines 15 and 16 of said section of printed bill, and all after the word "school" in 34th line of said section, and all of line 35 of said section of printed bill, and all of lines 5 and 6 of section 9 of printed bill.

On the adoption of Mr. Tongue's amendments the ayes and nays were called for by Messrs. Veatch, Dimick and Cogswell.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Chandler, Dawson, Dimick, Irvine, Looney, Tongue, Veatch, Wager, Wait, Watkins and Watts—12.

Nays—Messrs. Barin, Carson, Cauthorn, Cogswell, Eakin, Fullerton, Hamilton, Hatch, Hilton, Moore, Norval, Raley, Sinclair, Stanley, Steel, and Mr. President—16.

Absent—Messrs. Gray and Mackay—2.

So the motion to adopt Mr. Tongue's amendments to senate bill No. 32 failed to prevail.

Mr. Mackay requested that he be excused from further attendance to-day in order that he might be enabled to go to the penitentiary with the joint committee to examine that institution.

He was accordingly excused.

The question being now upon the final passage of senate bill No. 32, and the question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Fullerton, Hamilton, Hatch, Hilton, Moore, Norval, Raley, Sinclair, Stanley, Steel, and Mr. President—16.

Nays—Messrs. Chandler, Dawson, Dimick, Eakin, Irvine, Looney, Tongue, Veatch, Wager, Wait, Watkins and Watts—12.

Absent—Messrs. Gray and Mackay—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 13 and house bill No. 46 have been reported as correctly enrolled, and that he has signed them.

And the same are herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The president announced that he was about to sign house bill No. 13 and house bill No. 46, and shortly afterwards stated that he had signed the same.

Senate bill No. 79 coming on for consideration by virtue of special order, was read the third time.

The question now being, "Shall the bill pass?" Mr. Wager moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Gray and Mackay, the latter being absent on leave.

The President instructed the Sergeant-at-Arms to notify Mr. Gray to appear within the bar of the senate.

Mr. Gray having appeared, Mr. Wager moved that the further call of the senate be dispensed with.

Which motion prevailed.

The question being now again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Norval, Raley, Sinclair, Stanley, Steel, Wager, Wait, Watts, and Mr. President—22.

Nays—Messrs. Dawson, Dimick, Irvine, Moore, Tongue, Veatch and Watkins—7.

Absent—Mr. Mackay.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

At this time the President placed before the senate the following communication :

COMMUNICATION.

SALEM, Oregon, February 8, 1889.

*To the Honorable President of the Senate and Members of the Legislative Assembly of Oregon :*

The ladies of the "Oregon children's aid society," having received at the hands of the previous legislature an appropriation to aid in building and maintaining "The Home," most earnestly pray that a joint committee of two or three members from each house will visit the said "Home." The ladies will have carriages in readiness to convey such committee to and from "The Home" any day specified as most convenient for such visit.

MRS. Z. F. MOODY,  
Chairman of Visiting Committee.  
PER M. L. H.

Mr. Steel, on the subject contained in the foregoing communication, introduced the following resolution:

SENATE CONCURRENT RESOLUTION NO. 9.

*Resolved by the Senate, the House concurring :*

That a committee of two on the part of the senate and three on the part of the house be appointed to visit "The Home," an organization located in the city of Salem, and under the control and management of the "Oregon children's aid society," and report the condition of same to both houses of the legislature.

On motion of Mr. Steel, senate concurrent resolution No. 9 was adopted.

On motion of Mr. Cogswell, the committee on corporations was granted leave to report on senate bill No. 111.

Mr. Raley moved that the rules be suspended and house bill No. 104 be read the first time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wait, and Mr. President—19.

Nays—Messrs. Chamberlin, Dawson, Dimick, Hilton, Looney, Tongue, Watkins and Watts—8.

Absent—Messrs. Barin, Mackay and Wager—3.

So the motion was lost and the senate refused to suspend the rules.

Senate bill No. 35 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Mackay, Veatch and Wager—4.

So the bill passed, and there being no objections, the title of the bill declared to stand as the title of the Act.

Mr. Watts, chairman of the committee on corporations, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on corporations, to whom was referred senate bill No. 111, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

In section 2, line 17, printed bill, strike out the word "commissioners" and insert the word "court" instead thereof.

#### SECOND AMENDMENT.

Section 2, line 17, after the word "final" add the words "unless appealed from as hereinafter provided."

## THIRD AMENDMENT.

In section 2, line 19, after the word "improvements" add the following: "Any person who may conceive himself aggrieved by the assessment of damages as above prescribed, may within twenty days after such report is adopted by the county court, appeal therefrom to the circuit court of the proper county. Such appeal shall be taken to the circuit court in the same manner as appeals from justice of the peace. And if the appellant shall fail to recover a judgment more favorable than the report appealed from, he shall pay all costs of the appeal."

## FOURTH AMENDMENT.

Section 3, line 5, strike out the word "board" and insert the word "court" instead thereof.

J. W. WATTS,  
Chairman.

On motion of Mr. Cogswell, the foregoing amendments were adopted.

On motion of Mr. Cogswell, senate bill No. 111 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Veatch, the senate adjourned.

## AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Mackay and Raley.

Mr. Hatch, chairman of the committee on education, having leave to report at any time on house bill No. 43, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on education, to whom was referred house bill

No. 43, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

E. T. HATCH,  
Chairman.

Mr. Cogswell offered the following :

I move to strike out section 13 of the bill.

Mr. Chandler moved to amend Mr. Cogswell's amendment as follows :

Amend the bill by adding the following as section 14: "Nothing in this Act shall be so construed as to effect any license obtained prior to the passage of this Act."

On the motion to adopt the amendment to Mr. Cogswell's amendment, the ayes and nays were called for by Messrs. Watts, Dimick and Eakin.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Chandler, Cogswell, Gray, Hilton, Stanley, Watkins, and Mr. President—8.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Irvine, Looney, Moore, Norval, Sinclair, Tongue, Veatch, Wager, Wait and Watts—19.

Absent—Messrs. Mackay, Raley and Steel—3.

So Mr. Chandler's amendment to Mr. Cogswell's amendment was declared lost.

On the motion of Mr. Cogswell to amend the bill, the ayes and nays were called for by Messrs. Watts, Dimick and Eakin.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cogswell, Fullerton, Gray, Hilton, Stanley, Watkins, and Mr. President—7.

Nays—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Hamilton, Hatch, Irvine, Looney, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait and Watts—21.

Absent—Messrs. Mackay and Steel—2.

So the motion of Mr. Cogswell to amend was lost.

Mr. Chandler offered the following amendment to house bill No. 43:

Amend section 4, printed bill, by adding the following: *provided*, that if there shall be no remonstrance presented to said court, the names appearing on the petition shall be computed to be an actual majority.

Strike out section 5 and insert the following in lieu thereof:

"any person wishing to apply to the court for a license to sell spirituous, malt or vinous liquors in less quantities than one gallon shall give notice, at his own expense, in a newspaper published in the county in which he wishes to sell said liquors, for four consecutive weeks; and if there should be no newspaper published in such county, then he shall post three notices in the most public places in the precinct in which he wishes to sell such liquors for at least twenty days next preceding such application (and proof of such posting shall be made to the satisfaction of the court) stating the time and place he will make said application for such license.

Amend section 7: Strike out in line 1, printed bill, after the word "constables" the word "and;" also in line 2 the words "justices of the peace" and the last word in said line.

Strike out all of line 3, printed bill, and all of line 4 up to and including the word "violation," and insert in lieu thereof the words "any justice of the peace having jurisdiction."

Amend section nine (9) by striking out in line 4 the word "two" and insert in lieu thereof the word "fifty;" also in same line strike out the words "four hundred" and insert in lieu thereof the words "two hundred and fifty dollars."

Amend bill by striking out section 10.

Mr. Chandler moved to adopt the foregoing amendments.

On this question the ayes and nays were called for by Messrs. Dimick, Looney and Chandler.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Gray, Hamilton, Raley, Sinclair, Stanley, and Mr. President—8.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Tongue, Veatch, Wager, Wait, Watkins and Watts—19.

Absent—Messrs. Barin, Mackay and Steel—3.

So the motion failed to prevail and the senate refused to adopt the foregoing amendments.

Mr. Cogswell offered the following:

I move to strike out all that part of section 2 after the words "the sum of" in line 2 of said section and insert in place thereof: "the sum of three hundred dollars per annum, and the same proportion for a less period; *provided, however,* that no license shall be granted for a less period than six months."

On the motion of Mr. Cogswell to amend as above stated, the ayes and nays were called for by Messrs. Watts, Dimick and Hatch.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Fullerton, Gray, Hamilton, Stanley, Watkins, and Mr. President—8.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Tongue, Veatch, Wager, Wait and Watts—18.

Absent—Messrs. Barin, Mackay, Sinclair and Steel—4.

So the senate refused to adopt the last amendment offered by Mr. Cogswell.

Mr. Chandler moved to strike out in section 9, line 4, the words "two hundred," and insert in lieu thereof the word "fifty."

On this motion the ayes and nays were called for by Messrs. Watts, Dawson and Hatch.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Chandler, Cogswell, Gray, Stanley, Wait, and Mr. President—6.

Nays—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Tongue, Veatch, Wager, Watkins and Watts—21.

Absent—Messrs. Mackay, Sinclair and Steel—3.

So the motion was lost and the senate refused to adopt said amendment.

Mr. Tongue offered the following:

I move to amend house bill No. 43 by adding after the words "incorporated towns and cities of this State," in section 11, the words "incorporated before the passage of this Act."

On this motion the ayes and nays were called for by Messrs. Watts, Hatch and Dawson.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hilton, Raley, Stanley, Tongue, Wait, Watkins, and Mr. President—13.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Irvine, Looney, Moore, Norval, Veatch, Wager and Watts—14.

Absent—Messrs. Mackay, Sinclair and Steel—3.

So the motion failed to prevail, and the senate refused to adopt Mr. Tongue's amendment.

Mr. Watkins offered the following:

Mr. President, I move to strike out the word "four" in line 2 of section 2, printed bill, and insert in lieu thereof the word "three."

On this motion the ayes and nays were called for by Messrs. Watts, Dimick and Dawson.



On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hilton, Raley, Stanley, Wager, Wait, Watkins, and Mr. President—13.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Hatch, Irvine, Looney, Mackay, Moore, Norval, Tongue, Veatch and Watts—15.

Absent—Messrs. Sinclair and Steel—2.

So the motion failed to prevail, and the senate refused to adopt Mr. Watkins' amendment.

Mr. Raley offered the following amendment to house bill No. 43:

Strike out all of line 8 after the word "posting" in section 5 of printed bill, and all of line 9 of printed bill, and insert the words "shall be made in the same manner and under the same requirements as is now required in proof of posting county road notices."

Mr. Raley moved the adoption of the foregoing amendment.

The ayes and nays were called for by Messrs. Watts, Irvine and Dimick.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Fullerton, Gray, Hamilton, Hilton, Mackay, Raley, Stanley, Wager, Wait, Watkins, and Mr. President—13.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Hatch, Irvine, Looney, Moore, Norval, Tongue, Veatch and Watts—15.

Absent—Messrs. Sinclair and Steel—2.

So the motion failed to prevail, and the senate refused to adopt Mr. Raley's amendment.

Mr. Watts now moved that the rules be suspended and house bill No. 43 be made a special order for further consideration at 7:30 o'clock this evening.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Tongue, Veatch, Wager, Wait and Watts—21.

Nays—Messrs. Cogswell, Gray, Hilton, Raley, Stanley, Watkins, and Mr. President—7.

Absent—Messrs. Sinclair and Steel—2.

So the rules were suspended, and house bill No. 43 was made the special order for 7:30 o'clock this evening.

Mr. Watts moved that when the senate adjourns it adjourn to meet this evening at 7:30 o'clock.

Which motion prevailed.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 9 and amendment.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The house amendment to senate concurrent resolution No. 9 was as follows: "Also the children's home at Portland."

On motion of Mr. Dawson, the amendment to senate concurrent resolution No. 9 was concurred in.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 37, to amend title I, chapter LXVI, of Hill's code, relating to pilotage on the Columbia and Willamette rivers.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Mr. Watts moved that the rules be suspended and house bill No. 37 accompanying the foregoing message be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watts, and Mr. President—25.

Nays—Messrs. Chamberlin, Veatch and Watkins—3.

Absent—Messrs. Fullerton and Steel—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watts moved that the rules be further suspended and the bill read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—23.

Nays—Messrs. Chamberlin and Watkins—2.

Absent—Messrs. Dawson, Fullerton, Gray, Sinclair and Steel—5.

So the rules were suspended and the bill read a second time by title and ordered to a third reading.

Mr. Watts moved that the rules be suspended and the consideration of house bill No. 37 be made a special order for next Thursday at 10 o'clock A. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Stanley, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—21.

Nays—Messrs. Gray, Moore, Raley and Watkins—4.

Absent—Messrs. Chamberlin, Dawson, Fullerton, Sinclair and Steel—5.

So the rules were suspended and the consideration of house bill No. 37 was made a special order for next Thursday at 10 o'clock A. M.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 75.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 75 was ordered enrolled.

Mr. Wager gave notice that he would, within the required time,

move to reconsider the vote by which house bill No. 37 was made a special order for next Thursday at 10 o'clock A. M.

Mr. Raley moved to suspend the rules and read house bill No. 104 the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Eakin, Gray, Hamilton, Hatch, Mackay, Norval, Raley, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, and Mr. President—17.

Nays—Messrs. Chamberlin, Dimick, Irvine, Looney, Moore, Tongue and Watts—7.

Absent—Messrs. Cauthorn, Chandler, Dawson, Fullerton, Hilton and Steel—6.

So the motion was declared lost, and the senate refused to suspend the rules.

### THIRD READING OF SENATE BILLS.

Senate bill No. 38 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Chandler, Fullerton, Stanley, Steel and Wager—6.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 42 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Irvine, Looney, Norval, Stanley, Veatch, Wait and Watts—14.

Nays—Messrs. Carson, Cauthorn, Chandler, Fullerton, Hilton, Mackay, Moore, Tongue, Wager, Watkins, and Mr. President—11.

Absent—Messrs. Barin, Gray, Raley, Sinclair and Steel—5.

So the bill failed to pass.

On motion of Mr. Watts, it was ordered that the senate proceed to consider corporation bills this evening after the consideration of the special order.

Mr. Wager gave notice that he would, within the time provided, move to reconsider the vote by which senate bill No. 42 failed to pass.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 177, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 153, 118 and 188, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 195, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bill No. 85, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bills Nos. 185 and 95, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

On motion of Mr. Dimick, the senate adjourned.

## EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin and Steel.

House bill No. 43, under the special order, came on for consideration and was read the third time.

The question now being, "Shall the bill pass?" Mr. Fullerton moved to refer the bill to the committee on judiciary, with instructions to strike out sections 4 and 5 and to amend section 11 by adding thereto the words "incorporated after the passage of this Act."

Mr. Gray offered the following amendment to Mr. Fullerton's motion :

Amend section 2 by inserting after the word "annum," in third line, the words: "and no license shall be granted for a less time than six months, and for any such license so granted there shall be paid into the treasury the sum of \$300 for spirituous liquors, or \$150, and in the same proportion for a less period for a license to sell malt liquors only."

Mr. Gray moved to adopt the foregoing amendment to Mr. Fullerton's motion.

On this question the ayes and nays were called for by Messrs. Veatch, Watts and Dimick.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Fullerton, Gray, Hamilton, Stanley, Wager, Wait, and Mr. President—7.

Nays—Messrs. Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Watkins and Watts—19.

Absent—Messrs. Barin, Cauthorn, Cogswell and Steel—4.

So the motion to adopt was lost.

Mr. Wager offered the following amendment to Mr. Fullerton's motion:

Amendment to house bill No. 43: Add after the word "precinct," at the end of line 9 of section 5, the following: "*and provided further*, that said petition, when published as above required, need not contain the names signed to said petition."

Mr. Wager moved to adopt the foregoing amendment.

On this motion the ayes and nays were called for by Messrs. Watts, Dimick and Hatch.

Mr. Raley moved to lay the amendments, with bill, on the table.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Gray, Hamilton, Hilton, Raley, Stanley, Wager, Wait, Watkins, and Mr. President—10.

Nays—Messrs. Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Tongue, Veatch and Watts—17.

Absent—Messrs. Barin, Cauthorn and Steel—3.

So the motion failed to prevail.

Mr. Watts moved the previous question, seconded by Mr. Dimick.

The question being stated, "Shall the main question be now put?" the same was sustained by a majority of the senate, and the motion declared as having prevailed.

The question now being on the adoption of Mr. Wager's amend-

ment to Mr. Fullerton's motion, the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Gray, Raley, Wait, and Mr. President—5.

Nays—Messrs. Carson, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Tongue, Veatch, Wager, Watkins and Watts—19.

Absent—Messrs. Barin, Cauthorn, Mackay, Sinclair, Stanley and Steel—6.

So the senate refused to adopt the amendment.

Mr. Watts now moved the previous question, seconded by Mr. Veatch.

The question being stated, "Shall the main question be now put?" the same was sustained by a majority of the senate and the motion prevailed.

The question now being on the motion of Mr. Fullerton, to refer with instructions, the ayes and nays were called for by Messrs. Watts, Dimick and Looney.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Fullerton, Gray, Hamilton, Stanley, and Mr. President—6.

Nays—Messrs. Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Veatch, Wager, Wait, Watkins and Watts—20.

Absent—Messrs. Barin, Cauthorn, Sinclair and Steel—4.

So the motion to refer with instructions to amend house bill No. 43 was lost.

Mr. Fullerton now moved the previous question, seconded by Mr. Watts.

The question being stated, "Shall the main question be now put?" the same was sustained by a majority of the senate and the motion prevailed.

Mr. Veatch moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Barin, Cauthorn, Sinclair and Steel.

The President instructed the Sergeant-at-Arms to notify the absent members to appear within the bar of the senate.

Messrs. Cauthorn, Sinclair and Steel appearing, Mr. Cogswell moved that the further call of the senate be dispensed with.

Which motion was lost.

Shortly afterwards Mr. Dimick moved that further consideration under the call of the senate be dispensed with.

Which motion prevailed.



The question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Watkins, and Watts—25.

Nays—Messrs. Gray, Stanley, Wait, and Mr. President—4.

Absent—Mr. Barin.

So the bill was declared passed.

The President announced the appointment of Messrs. Hatch and Veatch on the joint committee on the part of the senate to visit the children's home at Salem and Portland pursuant to senate concurrent resolution No. 9.

Senate bill No. 47 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Veatch, Wager, Wait, Watkins and Watts—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Hilton, Norval, Raley, Steel, Tongue, and Mr. President—8.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 66 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Raley, Tongue, Veatch, Wager, Wait, Watkins and Watts—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Dawson, Hilton, Norval, Sinclair, Stanley, Steel, and Mr. President—9.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 95 was read a third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Veatch, Wager, Wait, Watkins and Watts—20.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dawson, Gray, Hilton, Sinclair, Stanley, Steel, and Mr. President—10.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Mr. Watkins moved that the rules be suspended and senate bill No. 69 be taken up now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins and Watts—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dawson, Steel, and Mr. President—6.

So the motion prevailed and the rules were suspended and senate bill No. 69 was taken up for consideration now.

Mr. Watkins offered the following:

I move that senate bill No. 69 be referred to a special committee consisting of the Senators from Wasco, and Wasco and Gilliam, with instructions to amend the same as follows: First—On page 2, line 12, of said bill, strike out the words "seventy-five" and insert in lieu thereof the words "one hundred." Second—Also strike out the following: *provided further*, that said bonds shall not be subject to taxation for any purpose.

Which motion prevailed and the bill was so referred.

Mr. Watkins moved that the rules be still further suspended and the committee have leave to report at any time on senate bill No. 69.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins and Watts—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dawson, Hatch, Norval, Steel, and Mr. President—8.

So the motion prevailed, and the special committee was granted leave to report on senate bill No. 69 at any time.

On motion of Mr. Veatch, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

WEDNESDAY, FEBRUARY 13, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Wager.

On motion of Mr. Barin, the reading of the journal of yesterday was dispensed with.

Mr. Hilton asked and obtained unanimous consent to have the committee on elections submit their report on senate bill No. 91 now.

Mr. Moore, chairman of the committee on elections, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 91, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments to the printed bill:

FIRST AMENDMENT.

In line 1 of section 1 after the word "on" insert the words "the first," and strike out the word "April" and insert the word "May."

## SECOND AMENDMENT.

In section 5 strike out all of line 1 after the word "abstract" and that portion of line 2 of said section down to and including the word "Condon," and insert the following: "and certificate that a majority of all the votes cast have been in favor of Condon."

## THIRD AMENDMENT.

In line 6 of section 5 strike out the word "July" and insert the word "September."

F. A. MOORE,  
Chairman.

On motion of Mr. Moore, the foregoing amendments were adopted.

Mr. Moore moved that the bill be ordered engrossed and be made a special order for a third reading to-morrow at 2 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Sinclair, Veatch and Wager—4.

So the motion prevailed.

Mr. Norval moved to suspend the rules and take up for consideration house bill No. 30 and read the same the third time and place it upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Chamberlin and Eakin—2.

Absent—Messrs. Barin, Chandler, Dawson, Veatch, Wager and Wait—6.

So the motion prevailed.

House bill No. 30 was now taken up for consideration and read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Dawson, Dimick, Eakin, Irvine and Veatch—5.

Absent—Messrs. Mackay and Wager—2.

So the bill passed.

Mr. Barin, chairman of the committee on fishing industries, by unanimous consent, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President :*

Your committee on fishing industries, to whom was referred senate bill No. 154, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

Mr. Barin moved that senate bill No. 154 be ordered engrossed for a third reading to-morrow.

Which motion prevailed.

Mr. Barin, by unanimous consent as chairman of the committee on fishing industries, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President :*

Your committee on fishing industries, to whom was referred senate bill No. 112, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 112 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on fishing industries, by unanimous consent, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on fishing industries, to whom was referred senate bill No. 135, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

Strike out the letters "A. M." in line 5, section 1 of printed bill, and insert the letters "P. M."

SECOND AMENDMENT.

Add after the word "section," in line 7, section 1 of printed bill, the following: "or catching salmon by leaving any fishing gear in the water."

THIRD AMENDMENT.

Strike out the following words in lines 1 and 2 of section 2 of printed bill: "or in the vicinity of their known spawning grounds."

FOURTH AMENDMENT.

Add the following after the word "dollars," at the end of line 6, section 2 of printed bill: "And any and all appliances used in the violation of this Act, viz., boats, nets, traps, wheels, seines or other appliances, shall be subjected to execution for the payment of the fine herein imposed."

FIFTH AMENDMENT.

Strike out the word "Rogue," in line 3 of section 3 of printed bill and add the words "Rogue river."

SIXTH AMENDMENT.

After the word "except," in line 4, section 3 of printed bill, strike out the word "its" and insert "their" in lieu thereof.

## SEVENTH AMENDMENT.

Strike out the words "one-fourth" in line 2, section 4 of the printed bill, and insert the words "one-third."

## EIGHTH AMENDMENT.

Strike out the following words in lines 1 and 2, section 6 of printed bill: "fresh salmon for shipment or transportation during the close season," and insert the following in lieu thereof: "or have in his possession or to offer for sale or transportation, or to transport during the close season in the spring, namely, from March 1 to April 15, any of the following varieties or kinds of fresh fish: Chinook salmon, Silver salmon, Steelheads or Bluebacks."

## NINTH AMENDMENT.

Strike out section 14 of the printed bill and insert the following in lieu thereof: Section 14. That all of title II of section 42 of the miscellaneous laws of Oregon, as annotated and compiled by W. Lair Hill, be and the same is hereby repealed.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

On motion of Mr. Barin, senate bill No. 135 was ordered engrossed for a third reading to-morrow.

Mr. Hilton, chairman of the special committee composed of the Senators from Wasco, and Wasco and Gilliam, with leave to report at any time, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*Mr. President :*

Your special committee, consisting of the Senators from Wasco, and Wasco and Gilliam, to whom was referred senate bill No. 69, beg leave to report that they have amended the same according to instructions and herewith return the same.

CHAS. HILTON,  
Chairman.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 111, 69 and 5, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

On motion of Mr. Barin, the courtesies of the senate were extended to Major W. A. Jones and a seat was provided for him within the bar of the senate.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 144, to amend section 4078 of the codes and general laws compiled by W. Lair Hill to provide for maintenance of gates across public roads subject to overflow from high water.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 38.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.



Senate bill No. 38 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 49, to authorize the construction of and operating of portage railways at the Cascades and between The Dalles and Celilo.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 55, to amend an Act incorporating the city of Grant's Pass.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 194, to incorporate the city of Albina.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 115, to amend an Act to incorporate the city of Eugene, in Lane county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 12, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 93 has been reported as correctly enrolled, and that he has signed it.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign house bill No. 93, and shortly afterwards stated that he had signed the same.

On motion of Mr. Dimick, the courtesies of the senate were extended to Hon. C. M. Cartwright, and the Sergeant-at-Arms was instructed to provide him with a seat within the bar.

Senate bill No. 69 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Gray, Norval and Wager—5.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Mr. Dimick, chairman of the special committee, by unanimous consent, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 166, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Section 4, paragraph 10, of written bill, be amended so as to read as follows: After the word "sold" add "*provided*, that no license shall be issued for a less sum than that provided for under the general laws of this State."

## SECOND AMENDMENT.

Also amend section 18 by striking out the words "and water-works" after the word "sewers" in sixth line of written bill.

## THIRD AMENDMENT.

Further amend section 18 by striking out the words "and all bonds issued by the city shall be exempt from taxation for State, county, district or municipal purposes" after the word "thereon" in fifteenth line of written bill.

J. B. DIMICK,  
J. B. LOONEY,  
M. L. CHAMBERLIN.

On motion of Mr. Dimick, the foregoing amendments were adopted.

On motion of Mr. Dimick, senate bill No. 166 was ordered engrossed for a third reading to-morrow.

Senate bill No. 48 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watts, and Mr. President—23.

Nays—Mr. Veatch.

Absent—Messrs. Dawson, Gray, Hatch, Mackay, Wager and Watkins—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 50 coming on for a third reading, Mr. Dimick moved that the same be laid on the table.

Which motion prevailed.

Senate bill No. 53 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Dawson, Mackay and Wager—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Norval, chairman of the committee on counties, with leave to report at any time on senate bill No. 9, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 9 and senate bill No. 145, recommend the following amendments:

#### FIRST AMENDMENT.

That the word "Yamhill" be inserted after the word "Washington" in line 5 of the printed bill No. 9.

#### SECOND AMENDMENT.

That the word "Yamhill" in line 7 be stricken out of bill No. 9.

## THIRD AMENDMENT.

That the word "Tillamook" in line 9 be stricken out of bill No. 9.

## FOURTH AMENDMENT.

That the word "Tillamook" be inserted in line 8 after the word "Malheur."

## FIFTH AMENDMENT.

That after the word "Governor" in the emergency clause, and the last line of the written bill No. 9, the following be added: "*provided*, that the provisions of this Act shall not apply to Douglas county until after the April, 1889, term of said court."

And your committee beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that senate bill No. 9 do pass with said amendments, and the same is engrossed as per order of the senate.

J. W. NORVAL,  
Chairman.

By unanimous consent, at the request of Mr. Eakin, the clerk was instructed to erase the word Douglas in line 9 and insert the word Douglas in line 8 as the same appears in the printed bill.

Which change was duly made.

Senate bill No. 9 was now read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Dawson, Mackay, and Veatch—4.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Barin, the courtesies of the senate were extended to Hon. C. W. Fulton of Astoria, and he was accordingly provided with a seat within the bar of the senate.

Mr. Norval, chairman of the committee on counties, with leave to report at any time on senate bill No. 145, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 9 and senate bill No. 145, recommend that senate bill No. 145 be withdrawn, its substance being incorporated in said bill No. 9, and beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the above recommendation that senate bill No. 145 do not pass but be withdrawn.

J. W. NORVAL,  
Chairman.

On motion of Mr. Eakin, senate bill No. 145 was ordered withdrawn from the files of the senate.

By unanimous consent, Mr. Sinclair was permitted to withdraw senate bill No. 187 from the files of the senate.

Senate bill No. 55 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Sinclair, Stanley, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Dawson, Mackay, Raley, Steel, Tongue, Veatch and Wager—8.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 56 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Dawson and Wager—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Stanley, the courtesies of the senate were extended to Hon. M. E. Beatty, and the Sergeant-at-Arms was instructed to provide him a seat within the bar of the senate.

Senate bill No. 57 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

#### COMMUNICATION FROM THE SECRETARY OF STATE.

OFFICE OF THE SECRETARY OF STATE,  
SALEM, Oregon,  
February 13, 1887. }

*To the Honorable, the Senate of the Legislative Assembly of the State of Oregon:*

GENTLEMEN: I have the honor herewith to transmit to the senate senate bill No. 37 of the fourteenth biennial session of the legislative assembly of the State of Oregon, which was passed at said session of the legislature February 18, 1887, and was filed in this office with the objections of the Governor thereto February 23, 1887.

I have the honor to be, very respectfully,

Your obedient servant,

GEO. W. McBRIDE,  
Secretary of State.

#### VETO MESSAGE OF THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 23, 1889. }

*To the Honorable, the Senate of the State of Oregon:*

I herewith return senate bill No. 31 with my dissent. This bill creates a new office, that of supreme court reporter. Under the

existing law the clerk of the supreme court is court reporter. The duties of the clerk befit him to be the reporter of the court, and there can be no reasonable doubt that the emoluments of the office are amply sufficient to fully recompense him for its now confined duties.

This bill provides that as compensation to the reporter "the Public Printer shall print six hundred volumes of each report, three hundred of which shall be delivered to the official reporter as his property, which he shall not sell at a greater price than five dollars per volume." This bill therefore not only creates a new office, but adds to the emoluments which the clerk of the supreme court is entitled to for services now imposed, the sum of fifteen hundred dollars. There has been no complaint that such clerk is underpaid for his services, it being the general impression that the perquisites of his office are about equal to the combined salaries of the three judges of that court; and therefore there is no valid reason why the people of this State should be taxed to enhance a compensation amply sufficient. This bill also provides for the "publication of the decisions of the supreme court by the Public Printer," but without this bill the decisions will have to be so published, inasmuch as it is the plain intent of the constitution that such printer "shall perform all public printing for the State," and inasmuch as it is also the declared will of the legislature, as expressed in house joint resolution No. 12, "that all printing for any State department, executive, administrative, legislative or judicial, shall be done by the State Printer."

The legislature of Oregon during the fourteenth session, inclusive of stock inspectors and the various boards of commissioners, and exclusive of court reporter and officers for the new counties, created forty new offices not heretofore known in this State, all of whom directly or indirectly receive remuneration for their services. A stop ought to be made somewhere, and, in my judgment, it ought to be made in regard to the creation of this office. Sacred writ informs us that the laborer is worthy of his hire, but it is nowhere claimed that the laborer is worthy of two hires, or that when the emoluments of an office are becoming too great for one person the proper thing to do is to create another office and increase the emoluments.

I therefore file this bill with my disapproval thereof in the office of the Secretary of State, this, the 23d day of February, 1887.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Tongue, it was ordered that the foregoing veto message be printed for the use of the senate.

Senate bill No. 62 was read the third time.



The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Veatch.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Fullerton, the courtesies of the senate were extended to Hon. G. W. Riddle, an ex-member of the Oregon legislature from Douglas county, who was provided a seat within the bar of the senate.

On motion of Mr. Hatch, the courtesies of the senate were extended to Hon. G. W. Haley, and he was provided with a seat within the bar of the senate.

On motion of Mr. Hamilton, senate bill No. 63 was laid on the table.

Senate bill No. 65 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—30.

Nays—None.

Absent—None.

So the bill was declared passed, and there being no objection, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 67 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Irvine, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Watts, and Mr. President—18.

Nays—Messrs. Barin, Hilton, Looney, Moore, Tongue, Veatch, Wager, Wait and Watkins—9.

Absent—Messrs. Carson, Chandler and Gray—3.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Watts, the senate adjourned.

### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Mr. Cogswell.

Senate bill No. 70 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chandler, Cogswell, Dawson, Raley and Sinclair—6.

So the bill passed, and there being no objections, the title of the bill ordered to stand as the title of the Act.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 116, 165 and 166, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

Senate bill No. 85 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Irvine, Tongue, Veatch and Wager—4.

Absent—Messrs. Chandler, Cogswell and Raley—3.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 111 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Cauthorn, Chandler and Wager—3.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 116 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chandler, Dawson and Steel—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
• February 13, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate

bill No. 75, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 117 was read the third time.

The question now being, "Shall the bill pass?" Mr. Fullerton moved to re-refer the bill to the committee on public buildings with instructions to amend the same as follows:

Strike out all of line 2, section 5, printed bill, after the word "located," and substitute in lieu thereof the following, to-wit: "In the Umpqua valley at or near the city of Roseburg."

Mr. Raley offered the following in addition:

Amend senate bill No. 117 as follows:

Strike out the words "Superintendent of Public Instruction" in lines 3 and 4 of section 2 of printed bill, and insert the words "the State Treasurer."

Mr. Watkins offered the following in addition:

Strike out all of section 9 after the word "reform" in line 6 of said section.

Mr. Wait offered the following in addition:

After section 11 insert "*provided*, that upon conviction of crime a third time he shall be deemed incorrigible, and there shall be no further suspension of judgment."

Mr. Tongue offered the following:

I move to amend the amendment of Senator Fullerton by striking out the added words.

By unanimous consent, Mr. Wait withdrew his proposed amendment.

A vote being now taken on the adoption of Mr. Watkins' amendment, the senate refused to adopt the same.

Mr. Raley asked and obtained unanimous consent to withdraw his amendment.

A vote being taken on Mr. Tongue's amendment to Mr. Fullerton's amendment, the same was adopted.

By unanimous consent, Mr. Fullerton's amendment as amended was withdrawn and the Clerk instructed to strike out of section 5 the words "at or near the capitol of the State."

The question being now again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Mr. Irvine.

Absent—Messrs. Chandler and Gray—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Mr. Watts moved that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening, for the purpose of considering senate and house corporation bills.

Which motion prevailed.

Mr. Wager now moved to reconsider the vote by which senate bill No. 42 failed to pass.

Which motion prevailed.

The question now being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Chandler, Cogswell, Dawson, Dimick, Gray, Hamilton, Hatch, Irvine, Looney, Norval, Raley, Stanley, Veatch, Wager and Wait—16.

Nays—Messrs. Barin, Carson, Cauthorn, Fullerton, Hilton, Mackay, Moore, Watkins, Watts, and Mr. President—10.

Absent—Messrs. Eakin, Sinclair, Steel and Tongue—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

On motion of Mr. Watts, the senate adjourned.

## EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Gray, Hamilton and Wait.

By unanimous consent, Mr. Fullerton introduced senate bill No. 202, being a bill for an Act to create a board of Southern Oregon agricultural society.

Mr. Fullerton moved that the rules be suspended and that the bill be read a first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogs-

well, Dawson, Dimick, Eakin, Fullerton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Gray, Hamilton, Mackay and Wait—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Watkins, Watts, and Mr. President—26.

Nays—Mr. Veatch.

Absent—Messrs. Gray, Hamilton and Wait—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Fullerton, referred to the committee on counties with instruction to have it printed if deemed necessary.

Mr. Fullerton moved to reconsider the vote by which senate bill No. 202 was referred to the committee on counties with instructions to have it printed.

Which motion prevailed.

The question now being, "Shall senate bill No. 202 be referred to the committee on counties with instructions to have the same printed?" a vote was taken and the senate refused to refer the same to said committee.

On motion of Mr. Fullerton, senate bill No. 202 was referred to a special committee consisting of the Senators from Jackson, Josephine, Curry, Coos and Douglas counties, with instructions to have the same printed.

Which motion prevailed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 75.

And the same is herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 75, and shortly afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 43 and 30 have been reported correctly enrolled, and that he has signed them.

And the same are herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 30 and house bill No. 43, and shortly afterwards stated that he had signed the same.

At the request of Mr. Eakin, he was excused from further attendance this evening.

Senate bill No. 153 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Irvine, Looney, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Hamilton, Hilton, Mackay, Moore, Norval and Steel—8.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 135 and 112, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

Senate bill No. 185 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Irvine, Looney, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Hamilton, Hilton, Mackay, Stanley and Steel—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 190 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Hatch, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Eakin, Gray, Hamilton, Hilton, Mackay and Steel—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 188 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chamberlin, Chandler, Cogswell, Dimick, Gray, Hatch, Irvine, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins and Watts—20.



Nays—None.

Absent—Messrs. Carson, Cauthorn, Dawson, Eakin, Fullerton, Hamilton, Hilton, Looney, Mackay, and Mr. President—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 165 was read a third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Eakin, Hilton and Steel—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

By unanimous consent, Mr. Sinclair introduced senate bill No. 203, being a bill for an Act to re-incorporate the town of Marshfield, Coos county, Oregon.

Mr. Sinclair moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Eakin, Hatch, Hilton and Steel—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair moved that the rules be further suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Eakin, Hatch and Steel—4.

So the rules were suspended and the bill was read a second time by title and ordered to a third reading to-morrow.

On motion of Mr. Barin, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

THURSDAY, FEBRUARY 14, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Cogswell and Veatch.

On motion of Mr. Tongue, the reading of the journal of yesterday was dispensed with.

By unanimous consent, Mr. Mackay, member of the committee on commerce, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 92, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. H. RALEY,  
DONALD MACKAY.

Mr. Mackay moved that the rules be suspended and senate bill No. 92 be now placed upon its final passage.

Mr. Gray moved to amend by making the further consideration of said bill the special order for 3 o'clock to-morrow afternoon.

A vote being taken, the senate refused to adopt Mr. Gray's amendment.

A vote being taken on Mr. Mackay's motion, the same prevailed.

Mr. Mackay asked unanimous consent to amend the bill as follows:

Strike out the word "pine" and insert "oak" in line 8, and the letter "J" and insert "K" in line 9 of section 1 of printed bill.

To which Mr. Gray objected.

Mr. Mackay moved that senate bill No. 92 be re-referred to the committee on commerce, with instructions to amend the same in pursuance to the foregoing proposed amendment, and that said committee have leave to report immediately.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—Messrs. Eakin and Gray—2.

Absent—Mr. Wager.

So the motion prevailed.

Mr. Mackay, on the part of the committee on commerce, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 92, with instructions, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate, amended as instructed, with the recommendation that it do pass.

DONALD MACKAY,  
J. H. RALEY.

Senate bill No. 92 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—Mr. Gray.

Absent—Mr. Veatch.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Irvine, the courtesies of the senate were extended to Hon. W. R. Bilyeu, ex-Senator from Linn county, and who was provided with a seat within the bar of the senate.

By unanimous consent, Mr. Hatch introduced senate bill No. 204, being a bill for an Act to re-locate the county seat of Polk county.

Mr. Hatch moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—Mr. Raley.

Absent—Mr. Veatch.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hatch moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Fullerton, Mackay, Raley and Veatch—4.

So the rules were suspended and the bill was read a second time by title, and Mr. Hatch moved that the bill be considered engrossed and that the rules be still further suspended and the bill be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Mackay, Veatch and Wait—3.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Wager, Watts, and President—25.

Nays—Messrs. Raley, Sinclair, Veatch, Wait and Watkins—5.

Absent—None.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

The time having arrived for the consideration of house bill No. 37 under special order of Thursday, house bill No. 37 was read the third time.

The question now being, "Shall the bill pass?" Mr. Moore moved to refer the bill to the committee on judiciary, with instructions to amend as follows:

Amend section 8 of printed bill by striking out all after the words "per foot draft" in line 4 of said section, and adding to said section 8 the following, to-wit: And three cents for each ton over and above 500 tons registered tonnage of such vessel; and the board is authorized to prescribe a proportionate compensation for pilot service between other points on said ground. Every river pilot appointed and qualified under the provisions of this Act is required to render his services promptly for the compensation provided by law in piloting any vessel up or down the Columbia or Willamette rivers when requested by the master of such vessel; and every such pilot is authorized and required to take charge of any vessel bound up or down the Columbia and Willamette rivers above Astoria (except vessels under one hundred tons burden) upon speaking such vessel within pilotage grounds and exhibiting to the master or officer in charge his branch or warrant, if required; and the authority of such pilot to take charge of such vessel shall be deemed complete upon the exhibition of such warrant or branch. It is further provided that if the river pilot shall speak a vessel as herein provided, and his services shall be rejected by the master of the vessel, the pilot so speaking shall be entitled to half pilotage, to be recovered of such master or vessel.

Mr. Fullerton offered the following amendment in addition:

Amend section 7 so as to read as follows: Section 7. That section 3918 of Hill's annotated laws of Oregon be and the same is hereby amended so as to read as follows: Section 3918. The compensation allowed for piloting a vessel upon or over the bar pilot grounds per foot draft of such vessel is as follows: For piloting an inward or outward bound vessel to or from Astoria over the bar, or from within the bar to the open sea, five dollars per foot draft of

such vessel and three cents per ton for each ton over five hundred tons registered tonnage of such vessel; from or within the bar and below Sand island one-half that rate, and from or above Sand island one-quarter of the same.

Mr. Wager offered the following:

Mr. President, I move to refer house bill No. 37 to the committee on judiciary, with instructions to strike out sections 1, 4, 9 and 12, and to amend section 11 as follows: Strike out in line 6 of said section the words "out of the State treasury on the warrants of the Secretary of State" and insert in lieu thereof the following: "by the party or parties adjudged in fault."

Mr. Tongue moved that the further consideration of house bill No. 37 be postponed until to-morrow at 2 o'clock and be made a special order for that time.

Which motion prevailed.

Mr. Tongue moved that the rules be suspended and the senate proceed to the second order of business, viz.:

#### REPORTS OF STANDING COMMITTEES.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—29.

Nays—None.

Absent—Mr. Hatch.

So the rules were suspended and the motion prevailed.

Mr. Barin, chairman of the judiciary committee, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 146, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 146 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 191, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 191 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 108, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

Strike out all of line 10 after the word "State."

SECOND AMENDMENT.

Strike out the word "desertion" in line 11.

THIRD AMENDMENT.

After the word "complaint," in line 12, add the following: "*and provided further*, that in any suit for the dissolution of the marriage

contract, the same may be commenced and tried in any county of this State in which either party to the suit resides."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

On motion of Mr. Barin, senate bill No. 108 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 90, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 90 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 88, beg leave to report that they have had the same under consideration, and would respectively report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 88 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 159, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

## AMENDMENT.

Strike out all after the words "senate bill No. 159," and insert the following in lieu thereof:

## SENATE BILL NO. 159.

A BILL for an Act to amend section 2400, and to repeal section 2404 of title II, chapter XIII, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill.

*Be it enacted by the Legislative Assembly of the State of Oregon :*

Section 1. That section 2400 of title II, chapter XIII, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, be amended so as to read as follows:

Sec. 2400. The recorder of conveyances shall have the custody of and safely keep and preserve all files and records of deeds and mortgages of real property, and all maps, plats, contracts and powers of attorney affecting the title to real property. He shall also record or cause to be recorded in a plain and distinct handwriting in suitable books to be provided by the county and kept in his office, all deeds and mortgages of real property and powers of attorney and contracts affecting the title to real property authorized by law to be recorded, and shall perform all the duties in regard to the filing, recording and indexing of deeds and mortgages of real property, contracts and powers of attorney affecting the title of real property and in regard to the entry of satisfaction and discharge of the same as were heretofore required by law to be done by the county clerk of said counties; and a transcript of the record of any instruments duly recorded by him under the authority of this Act, duly certified by such recorder under the seal of his office, may be read in evidence in any court in the State with like force and effect

as the original instrument. The recorder of conveyances shall certify upon every instrument recorded by him the time when it was received, with a reference to the book and page where it is recorded, and such instrument shall be considered as recorded at the time it was received. It shall be the duty of the county court of each county having a recorder of conveyances to provide a suitable seal for the use of such recorder.

Section 2. That section 2404 of title [?], chapter XIII, of the miscellaneous laws of Oregon, as compiled and annotated by W. Lair Hill, be and the same hereby is repealed.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendment was adopted.

On motion of Mr. Barin, senate bill No. 159 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your special committee, to whom was referred house bill No. 83, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

Add after the word "thereby," in line 5 of section 1 of printed bill, the following: Having first paid or tendered to the owner thereof the compensation or damages as hereinafter prescribed.

#### SECOND AMENDMENT.

Also strike out all of section 6 and insert the following: Section 6. Inasmuch as there is no law on this subject, this Act shall be in force from and after its approval by the Governor.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted, and house bill No. 83 ordered engrossed to a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 131, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 131 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 122, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

Strike out on line 1 of printed bill all after the word "court."

Also strike out on line 2 of section 1 of printed bill, commencing at the word "any" and up to and including the word "motion."

SECOND AMENDMENT.

Strike out on line 2 of section 4 of the printed bill after the

word "dollars" the words "per day for each day employed in drawing said jury."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

On motion of Mr. Barin, senate bill No. 122 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 130, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

L. T. BARIN,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 130 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 98, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

#### AMENDMENT.

Add after the word "court," in line 14 of section 1 of the printed bill, the following: where the amount in controversy is fifty dollars or more.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendment was adopted.

On motion of Mr. Barin, senate bill No. 98 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President :*

Your special committee, to whom was referred senate bill No. 107, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

Add a comma at the end of the word "persons," in line 2, section 1 of printed bill.

SECOND AMENDMENT.

Add after the word "it," in line 2 of section 1 of printed bill, the words "is or."

THIRD AMENDMENT.

Strike out in line 2 of section 1 of printed bill, the words "to be," and insert in lieu thereof "that he be."

FOURTH AMENDMENT.

Strike out the word "or," at the end of line 3, section 1 of printed bill, and insert the letter "a" in lieu thereof.

FIFTH AMENDMENT.

Add a comma after the word "jury," in line 2 of section 1 of printed bill; also a comma after the word "juror," in same line, and another comma after the word "person," in line 2, section 2 of printed bill.

SIXTH AMENDMENT.

Strike out all of section 3.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

On motion of Mr. Barin, senate bill No. 107 was ordered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 94, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, senate bill No. 94 was ordered considered engrossed for a third reading to-morrow.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 4, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Add after the word "paid," in line eight of section one of the printed bill, the following: "and proving said fact to the satisfaction of said recorder of conveyances or the county clerk."

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendment was adopted and the bill was ordered engrossed for a third reading to-morrow.

On motion of Mr. Veatch, the senate adjourned.

## AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Fullerton, Hatch, Norval and Veatch.

On motion of Mr. Cogswell, it was ordered that the reports of standing committees be confined only to senate bills.

Mr. Watts gave notice that he would on to-morrow or some subsequent day introduce a bill incorporating the town of Dayton.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 91 has been reported as correctly enrolled and that he has signed it.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 91, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 32, for the prevention of enticing or harboring seamen from vessels.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 139, to incorporate the town of Central Point, Jackson county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 157, to incorporate the city of Athena, Umatilla county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 126, to incorporate the city of Woodburn, in Marion county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 199, to amend an Act to incorporate the city of Portland, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 135, to incorporate the town of Independence, Polk county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 64, to incorporate the city of Enterprise, in Wallowa county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 85, to incorporate the city of Newberg, in Yamhill county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk. .

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 132, to incorporate the town of Vale, in Malheur county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 63, to prevent the introduction and sale of unwholesome foods and regulate sales of adulterated foods, drinks and medicines.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 195, to incorporate the city of Linkville.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 223, to incorporate the city of Oakland, in Douglas county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 71, to amend an Act to incorporate the city of Ashland, in Jackson county, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 13, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 54, to incorporate the town of Lakeview, Oregon.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

Your committee on engrossed bills, to whom was referred senate bill No. 91, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 10, providing that the Secretary of State may take charge of the Wilson avenue as a part of the capitol grounds.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 10 accompanying the foregoing message was read, and on motion of Mr. Carson, referred to the committee on judiciary.

The time having arrived for the consideration of senate bill No. 91, under special order, the said bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Barin and Steel—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 79, to appoint the time and place of holding supreme court, etc.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 79 was ordered enrolled.

Mr. Barin, chairman of the committee on judiciary, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred senate bill No. 89, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Strike out the word "proper" in line three of section one, printed bill, and insert the word "reasonable" in lieu thereof.

## SECOND AMENDMENT.

Strike out in line one of section two of printed bill the word "proper" and insert in lieu thereof the word "reasonable."

## THIRD AMENDMENT.

Add in line eight of section two, printed bill, after the word "thereof" the words "upon demand."

## FOURTH AMENDMENT.

Strike out all of section three after the word "parties" in line two of the printed bill.

L. T. BARIN,  
Chairman.

On motion of Mr. Barin, the foregoing amendments were adopted.

On motion of Mr. Barin, senate bill No. 89 was ordered engrossed for a third reading to-morrow.

Mr. Carson, chairman of the committee on ways and means, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on ways and means, to whom was referred senate bill No. 115, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that line 1, section 1, be amended to read as follows: "That there be and is hereby appropriated the sum of twenty-five hundred dollars."

Also the following amendments to be added to the bill to read as follows:

Section 3. Any resident of the State of Oregon desiring admis-

sion to the refuge home shall make written application to the county judge of the county where she resides. Such judge, if he finds the facts to be as stated in such application, shall make his certificate to that effect, and transmit such application and certificate to the officers of said corporation, and thereafter the applicant shall be entitled to admission to said home, subject to the rules and regulations thereof; *provided*, said corporation shall make to the Secretary of State biennial reports, showing the condition thereof, the names and number of inmates cared for during the two years prior thereto, the receipts and disbursements of said corporation, to the end that the State may be fully informed as to the conduct and management of the affairs of said corporation.

Section 4. That the said sum of money shall be paid upon the presentation of a warrant drawn on the State Treasurer by the Secretary of State and certified to by the president and secretary of said refuge home.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the foregoing amendments were adopted.

On motion of Mr. Carson, senate bill No. 115 was ordered engrossed for a third reading to-morrow.

Mr. Carson, chairman of the committee on ways and means, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 121, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

#### AMENDMENT.

Lines numbered 1, 2 and 3 of section 3 in the printed bill be amended to read as follows: That the sum of twenty-five thousand dollars (\$25,000) for the year March 1, 1889, to March 1, 1890, and the sum of twenty-five thousand dollars (\$25,000) for the year March 1, 1890, to March 1, 1891.

Your committee would also refer the bill back together with Senator Wager's amendment without further recommendation.

Amendment offered by Mr. Wager:

Amend by inserting after the word "commissioners" in line 2 of section 1, the following words: "Not more than three of whom shall be of the same political party."

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the foregoing amendments were adopted.

On motion of Mr. Carson, senate bill No. 121 was ordered engrossed for a third reading to-morrow.

Mr. Carson, chairman of the committee on ways and means, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on ways and means, to whom was referred senate bill No. 158, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, senate bill No. 158 was indefinitely postponed.

Mr. Moore, chairman of the committee on elections, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on elections, to whom was referred senate bill No. 126, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

F. A. MOORE,  
Chairman.



On motion of Mr. Moore, senate bill No. 126 was ordered considered engrossed for a third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 81, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, senate bill No. 81 was ordered considered enrolled for a third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 16, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Chandler, senate bill No. 16 was indefinitely postponed.

Mr. Wait, chairman of the committee on claims, submitted the following:

REPORT.]

SENATE CHAMBER,  
SALEM, Oregon,  
February 6, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No.

172, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

#### FIRST AMENDMENT.

After the word "year," in the seventh line of section 1 of the written bill, insert the following words: "and which have not been paid."

#### SECOND AMENDMENT.

After the word "cancelled," in the eighth line of section 3 of the written bill, strike out the word "and."

#### THIRD AMENDMENT.

Strike out the ninth line of section 3 of the written bill.

#### FOURTH AMENDMENT.

Strike out the words "the same," of the tenth line of section 3 of the written bill, and substitute the following: And the clerk shall also collect together all other county warrants which have been used by order of the county court and which are still remaining in his hands and unclaimed, and in the presence of the county court shall cancel all of such warrants as were issued more than seven years prior to the first day of July of that year.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, the foregoing amendments were adopted.

On motion of Mr. Wager, senate bill No. 172 was ordered printed with amendments.

On motion of Mr. Wait, senate bill No. 172 was ordered engrossed for a third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate

bill No. 152, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, senate bill No. 152 was ordered considered engrossed for a third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 137, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. K. WAIT,  
Chairman.

Mr. Chamberlin moved that senate bill No. 137 be considered engrossed and that the rules be suspended and the further consideration be made a special order for next Monday at 2 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Carson and Cauthorn—3.

So the rules were suspended and the motion prevailed.

Mr. Wait, chairman of the committee on claims, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 189, would beg leave to report that while they would not be in

favor of allowing any like claim of a salaried officer or any other creditor, we recognize the facts that the State Printer is not a salaried officer; that he is under bonds to do the work without the privilege of resigning; that he had to employ hands and to pay the same, and in order to do this he was compelled to sell his warrants at a discount, we would recommend that the bill be amended by striking out the words "fourteen hundred" wherever they occur in the bill and substitute the words "one thousand," beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the above amendments.

J. K. WAIT,  
Chairman.

On motion of Mr. Wait, the foregoing amendments were adopted.

On motion of Mr. Wait, senate bill No. 189 was ordered engrossed for the third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 76, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. K. WAIT,  
Chairman.

On motion of Mr. Gray, the further consideration of senate bill No. 76 was indefinitely postponed.

Mr. Wait, chairman of the committee on claims, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 80, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate without recommendation.

J. K. WAIT,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 80 was ordered considered engrossed for a third reading to-morrow.

Mr. Wait, chairman of the committee on claims, submitted a report on the claim of Captain John Mullan, as follows:

COMMITTEE OF CLAIMS REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your committee on claims to whom was referred the claim of Captain John Mullan against the State of Oregon, amounting in the aggregate to the sum of \$9,922.13, have had the same under investigation and consideration, and beg leave to report the following findings:

First, in the house journal of 1882, in His Excellency, Governor Thayer's, message, pages 38 and 39, he states thus:

I engaged the services of H. C. Perkins to view the lands in the field and Mr. P. L. Willis to attend to the other labor. Besides, the department, at my request, had sent an agent to view the lands included in the lists forwarded to the office of the commissioner of the general land office, who was instructed to co-operate with an agent appointed on the part of the State, and I appointed as such agent Dr. J. C. Whiteaker. In addition to this, I appointed Captain John Mullan as an agent to attend to and urge speedy action upon the part of the department in the examination and certifying of the lists forwarded by the attorney-general. These several matters have entailed some expense, but it was the only course to follow, and I assumed the responsibility to adopt it and to push forward the work as fast as it could be done with the complicated machinery provided for its management.

Session Laws 1882. page 31.—Appropriation Bill, section 20.

Section 20. From the swamp land fund for the pay of John Mullan for services rendered as attorney for the State of Oregon before the land department at Washington, D. C., under direction of the Governor. \$3,763 00

Session Laws 1885, Regular Session, page 56.—Appropriation Bill, section 25.

Section 25. For the pay of John Mullan for services as State agent at Washington, D. C., in securing certification and listing of lands, the collection of claims of the State of Oregon against the Federal Government from Sept. 1, 1882, to January 1, 1885 -----\$2,500 00

Senate Journal 1885, Special Session, page 191.

On November 24, 1885, Mr. Rinehart introduced senate joint resolution No. 3, as follows:

SENATE JOINT RESOLUTION NO. 3.

WHEREAS, There have heretofore existed and do still exist several claims against the United States for money due, services rendered and supplies furnished by this State in behalf of the United States, and which have constituted proper matters for the consideration of the authorities of the United States looking towards the reimbursement by them to this State of the moneys so by her heretofore expended and paid in good faith; and,

WHEREAS, The Governor and Secretary of State have heretofore respectively selected and appointed Captain John Mullan as agent and attorney to represent the State of Oregon before the proper authorities of the United States at Washington City, District of Columbia, in the matter of recognition, presentation and collection of the several claims of the State of Oregon against the United States, including the adjustment of all questions between the United States and this State growing out of the several land grants heretofore made by congress to this State; and,

WHEREAS, Captain John Mullan for several years last past has been continuously occupied in securing proper legislation for the recognition by the United States of all such claims, and is now diligently collecting and preparing evidence in support thereof with a view to their examination, audit, allowance and ultimate payment by the United States to this State, and in representing and adjusting all land questions that have heretofore and are now constantly arising between the State of Oregon and the United States; therefore,

*Be it resolved by the Senate, the House concurring :*

That the appointment of Captain John Mullan, heretofore selected by the Governor and the Secretary of State as agent for the purpose of adjusting and collecting the several claims due the State

of Oregon by the United States, is hereby confirmed, and the Governor, Secretary of State and State Treasurer shall audit his account for such service and report the same to the next legislative assembly for appropriation.

Mr. Meyers offered the following amendment:

Add to the resolution the following words; "*provided*, no claim be audited that has been passed on by the legislature of 1885."

The resolution as amended was adopted.

House Record, November 24, 1885.

Mr. Cox moved to adopt senate joint resolution No. 3.

Senate joint resolution No. 3 was adopted.

Ayes—31.

As the record shows, the resolution passed both houses but was not signed by the President of the Senate and the Speaker of the House as required by law.

House Journal 1887, page 117.

January 24, 1887, Mr. Daly, by consent, introduced house resolution No. 35, as follows:

#### HOUSE RESOLUTION NO. 35.

WHEREAS, It appears from senate joint resolution No. 3 of the special session held in November, A. D. 1885, that the same was not signed by the President of the Senate or the Speaker of the House as by law required; and,

WHEREAS, By his certificate, dated January, 1886, Hon. R. P. Earhart, then acting Secretary of State of the State of Oregon, did publish in the session laws of said special session on pages 128-'29 thereof and declare the same to be a law of this State, this said senate joint resolution; therefore,

*Be it resolved by the House*, That a committee, consisting of Harrington of Multnomah, Paulsen of Washington, and Bilyeu of Lane, be appointed by this house for the purpose of ascertaining by what authority, if any, the said resolution was published.

Said committee are further instructed to investigate what claims, if any, have been audited under said joint resolution, and make any further investigations in the premises and report their findings to this house at as early a date as possible, and for that purpose they are hereby authorized to call for persons and papers, administer oaths, and employ such clerical aid as they may deem necessary.

Which resolution was adopted.

House Journal 1887, page 309.

REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
January 25, 1887. }

*Mr. Speaker :*

Your special committee, appointed under house resolution No. 35, beg leave to report that they have examined into the matter of the condition of senate joint resolution No. 3, printed upon pages 128 and 129 of the session laws of the special session of November, 1885, and find as follows:

That the journals of the said special session show that said senate joint resolution No. 3 passed both the senate and the house; that it was received by the Secretary of State at the close of the session in the condition in which it appears in the volume containing the laws of the said special session; that having so passed the house and senate, the Secretary of State deemed it his duty, as important interests were involved, to publish said joint resolution in the appendix to the special session laws, and did so; that by reason of the said joint resolution not being properly authenticated by the signatures of the President of the Senate or the Speaker of the House, the Secretary of State declined to recognize its authority and refused to audit Captain Mullan's accounts thereunder; that the accounts of Captain Mullan are on file in the office of the Secretary of State and not audited for want of sufficient authority.

We further find that no sum of money has been paid from the State treasury to Capt. John Mullan, or warrants drawn in his favor for any sum whatever under or by authority of said joint resolution No. 3.

S. R. HARRINGTON,  
THOMAS PAULSEN,  
L. BILYEU.

On motion of Mr. Daly, the report was adopted.

House Journal 1887, page 277.

February 3, 1887, by consent, Mr. Daly introduced house resolution No. 50, as follows:

HOUSE RESOLUTION NO. 50.

WHEREAS, Senate joint resolution No. 3 of special session of the legislature of 1885 regarding the accounts of Captain John Mullan



was not signed by the President of the Senate nor the Speaker of the House as required by the constitution to make it valid; and,

WHEREAS, The Hon. R. P. Earhart, ex-Secretary of State for the State of Oregon, has, in answer of inquiry made of him by the committee appointed under house resolution No. 35, made answer that there are a number of claims by said Captain John Mullan against the State of Oregon now in the office of the Secretary of State, which said Hon. R. P. Earhart when acting as said Secretary refused to audit and allow; therefore, be it

*Resolved*, That the attempt to appoint said Captain John Mullan as State agent shall stand for naught, and any and all accounts made against the State by said Capt. John Mullan by virtue of said resolution shall not be audited or paid by the Secretary of State or any other officer of the State; that all resolutions or parts of resolutions inconsistent with this resolution are hereby repealed.

Referred to the committee on claims.

On February 4, 1887, Mr. Paulsen introduced house resolution No. 51:

House Journal 1887, page 309.

#### HOUSE RESOLUTION NO. 51.

WHEREAS, Claims for a large amount against the State by John Mullan are now on file in the office of the Secretary of State; and,

WHEREAS, There is not now, if there ever was, a necessity to employ said Mullan as agent for the State; therefore, be it

*Resolved*, That the Secretary of State is hereby requested to furnish the house with information stating the amount of such claims, the character of such service or services for which compensation is demanded and by whom and under whose authority said Mullan acted.

On motion of Mr. Paulsen, the resolution was adopted.

#### MESSAGE FROM THE SECRETARY OF STATE.

OFFICE OF THE SECRETARY OF STATE, }  
SALEM, Oregon, }  
February 10, 1887. }

*To the Honorable, the House of Representatives of the Legislative Assembly of the State of Oregon—*

GENTLEMEN: In compliance with house resolution No. 51, requesting me to furnish the house with information stating the amount of claims of John Mullan against the State, the character of

the services for which such compensation is demanded and by whose authority said Mullan acted, I have the honor to state that the claims filed by Captain John Mullan since the thirteenth biennial session of the legislative assembly are as follows:

1. A claim for \$7,026.80 for services rendered April 26, 1883, in collecting \$70,268.08 from the United States on account of Modoc Indian war.

2. A claim for \$527 for services rendered October 4, 1884, in collecting \$5,271.10 from the United States.

The same claims for said services were filed December 12, 1884, and were considered by committees on ways and means at the last regular session of the legislative assembly, together with a claim for \$2,463.05 for securing certification of school and other lands to the State and for salary as land agent from September, 1882, to January 1, 1885.

In the appropriation bill passed at that session there appeared the following item: "For pay of John Mullan for services as State agent at Washington, D. C., in securing certification and listing of lands, the collection of claims of the State of Oregon against the Federal Government from September 1, 1882, to January 1, 1885, \$2,500."

There is also on file a claim for \$2,118.22 for services as land agent and for securing certification of lands since January 1, 1885.

All of the above claims have been referred to and are now being considered by the committees on ways and means.

Capt. Mullan was appointed as an agent of the State by His Excellency Governor W. W. Thayer, as will be seen by reference to pages 38 and 39 of the house journal of 1882.

A letter written by Captain Mullan and endorsed by Governor Thayer is printed on pages 336, 337 and 338 of the house journal of 1882, and contains a statement of the terms upon which he was employed and the character of the service.

Captain Mullan has ever since said appointment acted as land agent of the State at Washington.

Page 15 of the report of the Secretary of State for 1885 contains a statement of the employment of Captain Mullan to represent the claim of the State against the United States for reimbursement of expenses incurred during the war of the rebellion, amounting to \$369,454.19.

The terms of his employment were such that upon the final adjustment of said claim Captain Mullan shall receive such sum for his services as the legislative assembly shall decide to be just.

The Secretary of State in the report above referred to says: "It is due to Captain John Mullan, the agent of the State in the prose-

cution of these claims, to say that he has rendered very material service in securing this payment by furnishing information and preparing and distributing legal arguments favorably affecting subsequent legislation by appearing before the committees appointed by congress to consider and report on the subject and before the departments entrusted with the duty of auditing the claims and by supporting the efforts of our senators and representatives, who also have exerted themselves to the same end."

I have the honor to remain, very respectfully,

Your obedient servant,

GEO. W. McBRIDE.

Therefore, we your present committee on claims find that the claim of the State of Oregon against the United States for \$70,268.08, being for moneys expended in suppressing Modoc Indian hostilities during the Modoc war in 1872 and 1873 was admitted and certified on the 5th day of March, 1883.

Also that the claim of \$5,271.10, being 15 per cent of \$35,140.67, the cost of the assumption and collection by the State of Oregon of her quota of the direct war tax levied under the Act of congress of August 5, 1861, was settled by warrant drawn September 19, 1884.

We find that the appropriation of \$2,500 made by the legislative assembly of 1885 was for the pay of John Mullan for services as State agent at Washington, D. C., in securing certification and listing of lands, *the collection of claims of the State of Oregon against the Federal Government from September 1, 1882, to January 1, 1885*, and so would include the claims for \$7,026.80 and for \$527.11 presented by the said Mullan to this legislative assembly.

We find further that on April 1, 1885, the Secretary of State drew warrant No. 1071, for \$2,500, in favor of John Mullan, and that on April 21, 1885, the State Treasurer paid the said warrant.

#### SUMMARY.

From the above we find that Captain John Mullan was appointed by His Excellency, Governor Thayer, without any definite contract, but with the understanding that the said Mullan was to receive such compensation as the legislative assembly would allow.

We find further that, at the special session of the legislative assembly of the State of Oregon, held in November, 1885, there was a resolution introduced to confirm the appointment of the said Mullan, but the said resolution failed to become a law, and that there is no record showing that the said appointment was ever confirmed or ratified by the legislative assembly.

We find further that, while the legislative assembly have never confirmed or ratified the said appointment, they appear to have recognized that his services were of value to the State, and so did, at the regular session of the said assembly, held in the year 1882, make an appropriation of \$3,762 for pay for said services, and did, at the regular session of said assembly, held in the year 1885, make a further appropriation of \$2,500 for pay for certification of lands from the United States to the State of Oregon, and for the collection of claims of the State of Oregon against the Federal Government from September 1, 1882, to January 1, 1885, making a total sum of \$6,262 which the said Mullan has received for his services to date. We find, further, that the two appropriations above named cover all of the claims presented by the said Mullan to this legislative assembly, except item 3 and item 4.

As there is no record showing that the said Mullan is or ever was employed as attorney or agent for the State at a salary or fixed compensation, it is the opinion of the committee that the said item 4 of \$2,250.50 should not be allowed.

Inasmuch as the procuring of the certification of land named in item 3 was and is of benefit to the State, we would recommend the payment of the said claim of \$118.22 as payment in full of all demands and claims to date.

J. K. WAIT,  
Chairman.

The reading of the foregoing report was postponed to some future time.

On motion of Mr. Tongue, it was ordered that the report be printed for the use of the senate.

Mr. Fullerton, chairman of the committee on public lands, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 17, 1889. }

*Mr. President :*

Your committee on public lands, to whom was referred senate bill No. 99, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

#### AMENDMENT.

That there be added to said bill section 4, to read as follows:

Section 4. All lands mentioned in section 1 of this Act shall hereafter be sold as provided in this Act, and all laws authorizing sale of said lands, except as herein provided, are hereby repealed.

J. C. FULLERTON,  
Chairman.

On motion of Mr. Fullerton, the foregoing amendment was adopted.

On motion of Mr. Fullerton, senate bill No. 99 was ordered engrossed for a third reading to-morrow.

Mr. Fullerton, chairman of the committee on public lands, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 125, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out all of section 1 of the printed bill after the word "States" in the fourth line and substitute in lieu thereof the following: And shall have obtained a patent or certificate of final proof therefor, be and is hereby granted and confirmed unto such claimants, his heirs or assigns respectively.

J. C. FULLERTON,  
Chairman.

On motion of Mr. Fullerton, the foregoing amendment was ordered adopted.

On motion of Mr. Fullerton, senate bill No. 125 was ordered engrossed for a third reading to-morrow.

Mr. Mackay, chairman of the committee on federal relations, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on federal relations, to whom was referred senate bill No. 196, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

DONALD MACKAY,  
Chairman.

On motion of Mr. Mackay, senate bill No. 196 was ordered engrossed for a third reading to-morrow.

Mr. Hilton, chairman of the committee on mines, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your committee on mines, to whom was referred senate bill No. 89, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

CHAS. HILTON,  
Chairman.

On motion of Mr. Chandler, the further consideration of senate bill No. 83 was indefinitely postponed.

Mr. Sinclair, on the part of the committee on railroads, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on railroads, to whom was referred senate bill No. 133, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments :

## FIRST AMENDMENT.

Amend printed bill by striking out all between the title of the bill and the enacting clause.

## SECOND AMENDMENT.

Amend section 1 of said bill by striking out in line 3 the words "fifty feet on each side," and insert in lieu thereof the words "one hundred feet."

## THIRD AMENDMENT.

Amend section 2 of said bill by inserting in line 10 after the words "of said company to" the words: "withdraw the same from market, and if the said company shall complete its said road within three years after the date of the filings of its said map or maps of location then the said board shall."

## FOURTH AMENDMENT.

Also amend said section by inserting in line 11 after the word "selected" the words: "*provided*, that if the said company shall not complete its road as in this section provided, then the said land shall be again subject to said [?] and the said company shall forfeit all rights to the same."

## FIFTH AMENDMENT.

Also amend section 2 of said bill by inserting in line 12 after the words "per acre," the following words: *provided*, that nothing in this Act shall be so construed as to interfere or in any manner conflict with the vested rights of any corporation heretofore organized under the laws of Oregon.

G. A. STEEL,  
Chairman.

On motion of Mr. Sinclair, the foregoing amendments were adopted.

On motion of Mr. Sinclair, senate bill No. 133 was ordered engrossed for a third reading to-morrow.

Mr. Sinclair, on behalf of the committee on railroads, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on railroads, to whom was referred senate bill No. 97, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the following amendments, and leave the senate to consider the bill so amended without any further recommendations from the committee:

## FIRST AMENDMENT.

Amend the title of the bill by adding the letter "s" to the word "company" and inserting after the word "company" the words "rail-road line."

## SECOND AMENDMENT.

Also amend the bill by striking out all between the title and the enacting clause.

## THIRD AMENDMENT.

Also amend section 1 of printed bill by inserting in line 5 after the word "road," the words "in construction."

## FOURTH AMENDMENT.

Also amend section 3 of said bill by striking out the words "one hundred and sixty acres" in line 3, and inserting in lieu thereof "forty acres."

## FIFTH AMENDMENT.

Also amend section 3, in line 6, by striking out the words "one hundred and sixty acres," and inserting in lieu thereof "forty acres."

## SIXTH AMENDMENT.

Also amend section 9 by inserting in line 8 after the word "telephone," the word "line."



## SEVENTH AMENDMENT.

Also amend section 11 by striking out of line [1] the word "ten," and insert in lieu thereof the word "five."

## EIGHTH AMENDMENT.

Also amend section 11 by adding the following words: And nothing in this Act shall be so construed as to grant to the said company any lands of the State of Oregon until after its road shall have been completed through and over any lands which its lines shall pass over.

G. A. STEEL,  
Chairman.

On motion of Mr. Sinclair, the foregoing amendments were adopted.

On motion of Mr. Sinclair, senate bill No. 97 was ordered engrossed for a third reading to-morrow.

Mr. Sinclair, on behalf of the committee on railroads, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on railroads, to whom was referred house bill No. 61, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Amend section 1 of printed bill by inserting in line 9 after the word "contractor" the words: nor shall such corporation be liable for any greater sum than the amount then actually due by such corporation to said original contractor.

## SECOND AMENDMENT.

Amend section 2 of said bill by inserting in line 2 after the word "corporation" the words: at the place where the principal office of said corporation is located.

## THIRD AMENDMENT.

Also further amend section 2 by inserting after the blank in line 6 the words: of the value of \$-----, which sum (said contractor or railroad company as the case may be) agreed to pay me therefor, and upon which there is now due to me the sum of \$-----.

## FOURTH AMENDMENT.

Amend section 3 of said bill by striking out all of said section and insert in lieu thereof the following: Section 3. The said railroad corporation may at any time discharge and release itself from any liability on account of the liens secured under this Act, by depositing with the clerk of the circuit court of the county where the principal office of said corporation is located, the money due by it to such original contractor, and publishing notice thereof in some newspaper of general circulation in the county for two weeks, and such deposit shall also operate to release said company from the claim of said original contractor. Thereupon any person interested in said moneys may commence suit in the proper circuit court against said railroad corporation and the contractor, setting forth the nature of his claim and the amount due as near as may be and the fact that the contractor has failed to complete his contract and that said fund has been deposited in court by such railroad company. The clerk of said court shall thereupon issue a citation directed to all persons or corporations interested in the matter set forth in the petition and in said fund, to be published in some newspaper published, printed in and of general circulation in the county, for four successive weeks, setting forth that said complaint has been filed and the nature thereof, and that all persons interested may appear and file such claim as they may have at a time stated in such citation; and the court on application of any party interested shall cause all persons interested in said fund to be brought in and the claims of such persons as may interplead, may render such a decree against said corporation as may be due to the plaintiff and such persons as interplead, and such decree shall have the effect as other decrees against said original contractor and against said railroad corporation.

## FIFTH AMENDMENT.

Amend section 4 by inserting in line 2 after the words "due and payable": "and within ten days after such notice has been served."

## SIXTH AMENDMENT.

Amend section 5 by inserting in line 2 after the word "may":  
"commence suit in the proper circuit court."

## SEVENTH AMENDMENT.

Also in said section, lines 2 and 3, strike out the words: "file his petition in any court of record in any county through which the road may be constructed."

## EIGHTH AMENDMENT.

Also amend section 5 by striking out the word "petition" in line 6 and insert in lieu thereof the words: "complaint in said suit."

## NINTH AMENDMENT.

Also strike out the words "petition" and "filed" in line 8 and insert the words "suit," "commenced," so as to make line 8 read: successive weeks, setting forth that said suit has been commenced and the nature thereof, and that.

## TENTH AMENDMENT.

Also strike out in line 10 of said section the word "petition," inserting the word "suit."

## ELEVENTH AMENDMENT.

Also in line 11 of said section strike out the word "petitioner" and insert the word "plaintiff."

G. A. STEEL.  
Chairman.

On motion of Mr. Wager, it was ordered that the foregoing amendments be printed and the bill lay on the table until such time as the senate would order the same taken therefrom.

Mr. Veatch moved that the committee on railroads be discharged from further action on senate bill No. 101, and that the committee be ordered to return said bill to the senate.

On this question the ayes and nays were demanded by Messrs. Veatch, Cauthorn and Irvine.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Irvine, Looney, Raley, Stanley, Tongue, Veatch, Wager, Wait and Watts—16.

Nays—Messrs. Chamberlin, Mackay, Norval, Watkins, and Mr. President—5.

Absent—Messrs. Barin, Carson, Cogswell, Dawson, Hatch, Hilton, Moore, Sinclair and Steel—9.

So the motion prevailed and the committee on railroads ordered to return senate bill No. 101.

Mr. Chamberlin, chairman of the committee on public buildings, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

Your committee on public buildings, to whom was referred communication of the chief engineer of the Salem fire department, beg leave to report that they have had the same under consideration, and would respectfully report the communication hereto attached for your consideration without making recommendation.

M. L. CHAMBERLIN,  
Chairman.

#### COMMUNICATION.

SALEM, Oregon,  
February 8, 1889. }

*To the Honorable Committee on Public Buildings of the Honorable Senate of the State of Oregon—*

GENTLEMEN: Having been requested by Hon. M. L. Chamberlin of your committee to examine into the condition of the electric-light wires in the State house, I would most respectfully submit the following report:

That I have made an examination of the electric-light wires in the State house and find them in good condition, and there is no place in the State house where I would consider there was any danger of fire from them; but not wishing to assume the entire responsibility of such an important examination as I consider this, I would most respectfully recommend that the committee secure the

services of Mr. S. G. Lawson of 105 Fourth street, Portland, or Julius Dilg of Portland, as a report from either of these gentlemen would be beyond the challenge of any one.

I remain your obedient servant,

A. E. STRANG:

Mr. Tongue, chairman of the committee on roads and highways, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President :*

Your committee on roads and highways, to whom was referred house bill No. 64, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

#### AMENDMENT.

Strike out all of section 3.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the foregoing amendment was adopted.

On motion of Mr. Tongue, senate bill No. 64 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on roads and highways, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM Oregon,  
February 7, 1889. }

*Mr. President :*

Your committee on roads and highways, to whom was referred senate bill No. 60, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 60 was ordered engrossed for a third reading to-morrow.

Those voting aye were:

Messrs. Cauthorn, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Irvine, Looney, Raley, Stanley, Tongue, Veatch, Wager, Wait and Watts—16.

Nays—Messrs. Chamberlin, Mackay, Norval, Watkins, and Mr. President—5.

Absent—Messrs. Barin, Carson, Cogswell, Dawson, Hatch, Hilton, Moore, Sinclair and Steel—9.

So the motion prevailed and the committee on railroads ordered to return senate bill No. 101.

Mr. Chamberlin, chairman of the committee on public buildings, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

Your committee on public buildings, to whom was referred communication of the chief engineer of the Salem fire department, beg leave to report that they have had the same under consideration, and would respectfully report the communication hereto attached for your consideration without making recommendation.

M. L. CHAMBERLIN,  
Chairman.

#### COMMUNICATION.

SALEM, Oregon,  
February 8, 1889. }

*To the Honorable Committee on Public Buildings of the Honorable Senate of the State of Oregon—*

GENTLEMEN: Having been requested by Hon. M. L. Chamberlin of your committee to examine into the condition of the electric-light wires in the State house, I would most respectfully submit the following report:

That I have made an examination of the electric-light wires in the State house and find them in good condition, and there is no place in the State house where I would consider there was any danger of fire from them; but not wishing to assume the entire responsibility of such an important examination as I consider this, I would most respectfully recommend that the committee secure the

services of Mr. S. G. Lawson of 105 Fourth street, Portland, or Julius Dilg of Portland, as a report from either of these gentlemen would be beyond the challenge of any one.

I remain your obedient servant,

A. E. STRANG:

Mr. Tongue, chairman of the committee on roads and highways, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President :*

Your committee on roads and highways, to whom was referred house bill No. 64, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendment:

AMENDMENT.

Strike out all of section 3.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, the foregoing amendment was adopted.

On motion of Mr. Tongue, senate bill No. 64 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on roads and highways, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM Oregon,  
February 7, 1889. }

*Mr. President :*

Your committee on roads and highways, to whom was referred senate bill No. 60, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 60 was ordered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on roads and highways, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President :*

Your committee on roads and highways, to whom was referred senate bill No. 33, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 33 was ordered considered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on roads and highways, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President :*

Your committee on roads and highways, to whom was referred senate bill No. 168, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the committee on commerce.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Stanley, senate bill No. 168 was ordered engrossed for a third reading to-morrow.

Mr. Tongue moved that the rules be suspended and senate bill No. 201 be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, and Mr. President—27.

Nays—None.



Absent—Messrs. Barin, Cauthorn and Watkins—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Tongue, ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 104, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 104 was ordered considered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 106, recommend the following amendments, to-wit:

#### FIRST AMENDMENT.

Strike out the word "directed" in line 3 in section 1 in printed bill and insert in place thereof the word "authorized."

#### SECOND AMENDMENT.

Also strike out the words "not less than one dollar" in three places in lines 5, 6 and 7, respectively, in said section 1 of said printed bill.

Mr. Tongue, chairman of the committee on roads and highways, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 33, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate without recommendation.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Tongue, senate bill No. 33 was ordered considered engrossed for a third reading to-morrow.

Mr. Tongue, chairman of the committee on roads and highways, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your committee on roads and highways, to whom was referred senate bill No. 168, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it be referred to the committee on commerce.

THOS. H. TONGUE,  
Chairman.

On motion of Mr. Stanley, senate bill No. 168 was ordered engrossed for a third reading to-morrow.

Mr. Tongue moved that the rules be suspended and senate bill No. 201 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Cauthorn and Watkins—3.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Tongue, ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill No. 104, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 104 was ordered considered engrossed for a third reading to-morrow.

Mr. Norval chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President :*

Your committee on counties, to whom was referred senate bill No. 106, recommend the following amendments, to-wit:

#### FIRST AMENDMENT.

Strike out the word "directed" in line 3 in section 1 in printed bill and insert in place thereof the word "authorized."

#### SECOND AMENDMENT.

Also strike out the words "not less than one dollar" in three places in lines 5, 6 and 7, respectively, in said section 1 of said printed bill.

## THIRD AMENDMENT.

Also strike out all of said printed bill beginning after the two words "twenty dollars" in line 7 of section 1 of said printed bill and ending with the word "cent" in line 9.

And your committee beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the above amendments.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the foregoing amendments were adopted.

On motion of Mr. Moore, senate bill No. 106 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 82, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 82 was ordered considered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 157, beg leave to report that they have had the same under con-

sideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 157 was considered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 139, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 139 was considered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 24, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 40, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate as withdrawn.

J. W. NORVAL,  
Chairman.

At the request of Mr. Chandler, leave was granted to withdraw senate bill No. 40.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 103, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. W. NORVAL,  
Chairman.

On motion of Mr. Hamilton, senate bill No. 103 was considered engrossed for a third reading.

Mr. Hamilton moved that the rules be suspended and the consideration of senate bill No. 103 be made the special order for 7:30 o'clock this evening.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Mr. Eakin.

Absent—Messrs. Barin and Cauthorn—2.

So the motion prevailed.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 148, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Dawson, the further consideration of senate bill No. 148 was ordered indefinitely postponed.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 110, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Chandler, senate bill No. 110 was ordered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 7, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 175, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 175 was considered engrossed for a third reading to-morrow.

Mr. Norval, chairman of the committee on counties, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 5, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate

bill No. 105, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

J. W. NORVAL,  
Chairman.

On motion of Mr. Chandler, the further consideration of senate bill No. 105 was indefinitely postponed.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 8, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 161, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, senate bill No. 161 was considered engrossed for a third reading to-morrow.

On motion of Mr. Raley, senate bill No. 161 was orded referred to a special committee composed of the Senators from Union county.

Mr. Norval, chairman of the committee on counties, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
Febuary 7, 1889. }

*Mr. President:*

Your committee on counties, to whom was referred senate bill No. 147, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that the accompanying bill be substituted therefor.

J. W. NORVAL,  
Chairman.



On motion of Mr. Norval, the bill accompanying the foregoing report was ordered substituted for senate bill No. 147 and made senate bill No. 205, being a bill for an Act to amend sections 2371, 2372 and 2378, title II, chapter XL, miscellaneous laws of Oregon, as compiled by W. Lair Hill.

Mr. Norval moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Cauthorn and Stanley—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Dimick, Hamilton, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chandler, Cogswell, Dawson, Fullerton, Gray, Norval, and Stanley—8.

So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Wager, was considered engrossed for a third reading to-morrow and printed.

On motion of Mr. Cogswell, senate bill No. 147 was ordered indefinitely postponed.

Mr. Dimick, chairman of the committee on military affairs, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on military affairs, to whom was referred senate bill No. 194, beg leave to report that they have had the

same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. DIMICK,  
Chairman.

On motion of Mr. Dimick, senate bill No. 194 was considered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

~~Mr. President:~~

Your committee on commerce, to whom was referred senate bill No. 186, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

FIRST AMENDMENT.

After the word "use" on the 11th line of the printed bill insert "or cause to be constructed, built, maintained and used."

SECOND AMENDMENT.

On the 19th line of printed bill, after the words "one hundred," insert "and thirty."

THIRD AMENDMENT.

On the 25th line of printed bill strike out the word "May" and substitute the word "November."

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, the foregoing amendments were adopted.

On motion of Mr. Gray, senate bill No. 186 was ordered engrossed for a third reading to-morrow.

On motion of Mr. Cogswell, it was ordered that when the senate adjourn it adjourn to meet at 7:30 o'clock this evening for the purpose of considering the special order, and also the consideration of corporation bills.

Mr. Gray, chairman of the committee on commerce, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 132, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendments:

## FIRST AMENDMENT.

Amend section two, line one, by inserting after the word "to" the following: "cause to be constructed, in accordance with existing laws regulating the building of county bridges, the aforesaid bridge, and said bridge shall be erected on a county road of Malheur county and be the property of said county, and said county court of Malheur county shall."

## SECOND AMENDMENT.

On line seven of section two of the printed bill strike out the words "State Treasurer" and insert "Secretary of State," "and the Secretary of State is hereby authorized and required to draw his warrants on the State Treasurer for the above sum of \$10,000, which shall be paid out of any funds not otherwise appropriated."

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, the foregoing amendments were adopted.

On motion of Mr. Chandler, senate bill No. 132 was ordered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 128, beg leave to report that they have had the same

under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, senate bill No. 128 was considered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 138, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, senate bill No. 138 was considered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 170, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, senate bill No. 170 was ordered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on commerce, to whom was referred senate bill No. 173, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, senate bill No. 173 was considered engrossed for a third reading to-morrow.

Mr. Gray, chairman of the committee on commerce, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on commerce, to whom was referred senate bill No. 86, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. H. D. GRAY,  
Chairman.

On motion of Mr. Gray, senate bill No. 86 was considered engrossed for a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on education, to whom was referred senate bill No. 96, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate

with the recommendation that it do pass, with the following amendment:

AMENDMENT.

Strike out of line one, section one, the word "last" and insert the word "second," and after the word "Friday" add "in the afternoon."

E. T. HATCH,  
Chairman.

On motion of Mr. Hatch, the foregoing amendment was adopted.

On motion of Mr. Hatch, senate bill No. 96 was ordered engrossed for a third reading to-morrow.

Mr. Hatch, chairman of the committee on education, introduced the following resolution:

SENATE JOINT RESOLUTION NO. 5.

*Be it resolved by the Senate, the House concurring:*

That the Secretary of State be and is hereby authorized and directed to cause to be published eight thousand five hundred copies of the amended school laws including the amendments made at the regular session of January and February, 1889, for the use of the various school officers and teachers in the several counties of the State.

*Resolved further,* That the Secretary of State shall cause this compilation of the school laws to be arranged, annotated and compiled under the direction and supervision of the Superintendent of Public Instruction, who shall, when the same is printed and completed, distribute sufficient supplies of the same to the county superintendents in this State, to be distributed by them to the district school officers in their several counties.

*Resolved further,* That each member of this legislative assembly be furnished with a copy of the new compilation when completed.

Mr. Cauthorn moved to adopt senate joint resolution No. 5.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Cogswell, Fullerton, Wager and Wait—4.

So the motion prevailed and senate joint resolution No. 5 was declared adopted.

Mr. Eakin, chairman of the committee on assessments, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your committee on assessments, to whom was referred senate bill No. 10, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

S. B. EAKIN,  
Chairman.

On motion of Mr. Eakin, senate bill No. 10 was ordered engrossed for a third reading to-morrow.

Mr. Eakin, chairman of the committee on assessments, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 12, 1889. }

*Mr. President:*

Your committee on assessment, to whom was referred senate bill No. 123, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

S. B. EAKIN,  
Chairman.

On motion of Mr. Eakin, senate bill No. 123 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 142, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 142 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 141, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 141 was considered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the committee on agriculture, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on agriculture, to whom was referred senate bill No. 181, beg leave to report that they have had the same under con-



sideration, and would respectfully report it back to the senate without recommendation.

J. B. LOONEY,  
Chairman.

On motion of Mr. Looney, senate bill No. 181 was ordered engrossed for a third reading to-morrow.

Mr. Looney, chairman of the special committee to examine into the affairs of the insane asylum, pursuant to house concurrent resolution No. 3, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 13, 1889. }

*To the Senate and House of Representatives of the Legislative Assembly  
of the State of Oregon:*

GENTLEMEN: The joint committee appointed under house concurrent resolution No. 3, to investigate the management and condition of the Oregon State insane asylum, report that the duty assigned to the committee has been discharged, and we find that the patients are supplied with all things necessary for their comfort as far as the management is concerned.

The food furnished the inmates is wholesome and abundant.

The greatest attention is paid to their personal cleanliness.

The wards are clean and neat, with as perfect sanitary and hygiene surroundings as possible under all the circumstances. We were pleased to notice the ample provisions made for their mental diversion so important to this class of patients, such as chapel exercises, music, dancing, etc.

The treatment of the patients by the attendants is courteous and humane. The books and accounts are neatly and accurately kept. There are at the present time 540 patients, and increasing at the rate of 80 per year. If this increase holds good in the future as in the past it will only be a very short time before the institution will be full and overflowing. We therefore recommend the erection of a new wing. We also believe that there should be a building erected for the special treatment of insane persons. The land now owned by the State susceptible of agriculture amounts to only 92½ acres, and from this small amount there has been returned to the State in the last two years the sum of twenty-six thousand dollars in the way of vegetables, etc.

And we recommend that the legislature provide for the purchase of more land, and we advise the selling of a tract of land belonging to the State lying some two miles from the asylum, for the reason that it is too far away to be of very much utility to the institution. The furnaces now in use for the purposes of heating the building are a source of great and constant danger to the inmates, and no false notion of economy should prevent the legislature from making ample provision for their perfect safety and welfare. And we therefore recommend that said furnaces be replaced by steam heating apparatus; not only will the safety of the inmates be increased, but there will be a saving to the State of some three thousand dollars per annum. There is also great need of fire plugs to connect directly with the pumps, so that in case of fire the full force of the pump would be directly on the fire.

The library should not be neglected, as it is a source of great benefit to the patients.

The general expenses of the institution for the next two years must be provided for at this time.

We therefore ask and recommend the following appropriation for the purposes therein named:

For building new wings and furniture.....	\$ 40,000
For replacing heating furniture with steam heating apparatus .....	150,000
For fire plugs.....	3,000
For wainscoting and painting.....	2,000
For a building for special treatment .....	15,000
For general expenses.....	150,000
For electric light plant.....	8,000
For conveying indigents home.....	300
For library fund.....	300

We also recommend the appropriation of \$20,000 for the purchase of land, to be expended by the board of trustees provided said board can obtain the land at such price as they deem reasonable.

Total amount.....	\$253,600
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Before concluding this report we will say that Dr. Harry Lane, superintendent, extended to your committee every courtesy, and we have the utmost confidence in his integrity and ability as a superintendent.

Mr. Westacott, the commissary and clerk, extended to the clerk of this committee every facility for examining the books, papers and vouchers, all of which he found in perfect order and correctly kept.

The following stock are owned and kept at the asylum:

26 cows, worth	\$ 780
2 bulls, worth	1,000
13 calves, worth	130
5 Holstein heifers	1,000
7 horses	1,050
62 hogs	620
67 pigs	335
8,000 bushels potatoes	2,000
Stock in store	16,000
Farming implements	300
Total	\$22,315

J. H. ROBERTS,

Chairman committee on part of the House.

J. B. LOONEY,

Chairman committee on part of the Senate.

On motion of Mr. Looney, the foregoing report was ordered referred to the committee on ways and means and printed.

Mr. Hilton asked and obtained unanimous consent on the part of the special committee to examine into the condition, affairs and workings of the deaf mute school, pursuant to house concurrent resolution No. 11, to submit the following:

#### REPORT.

SENATE CHAMBER,

SALEM, Oregon,

February 9, 1889.

Your special committee, appointed to visit and examine into the condition, surroundings and workings of the deaf mute school, in company with a like committee appointed by the house for the same purpose, have visited said school, and beg leave to make the following report:

We find by reference to the records of Marion county that on the 24th day of December, A. D. 1883, A. Bush conveyed title by warrantee deed "unto the board of directors of the Oregon school for the education of deaf mutes and to their successors and assigns forever" "to all of block number 24 in the University addition to the city of Salem." Part of the lands were donated to the State for the use and purpose above mentioned, and no part of the funds used in purchasing any of the lands for the use of said school was appropriated by the State, but title to all real estate is vested in the board

of directors under provisions of section 6 of an Act entitled an Act to create and organize a school for deaf mutes, approved October 25, 1880.

The grounds have been much improved by labor of the pupils without cost to the State, and are kept neatly, thus giving the premises a cheerful and home-like appearance. Besides improving and beautifying the grounds there has been erected a school building sufficiently large to accommodate at least forty pupils, a separate building (each) for the boy's and girl's dormitory and industrial building. Your committee personally inspected these premises thoroughly in every department and find that the general management is efficient and economical, that the method of book-keeping is accurate and so simple as to be readily understood by any one of ordinary business qualifications, and that every department is kept faultlessly clean, and the care bestowed for neatness and comfort of pupils is excellent in every respect.

The task of imparting instructions to deaf mutes is a difficult one, requiring teachers peculiarly fitted for the work they have in charge, and the State is fortunate in having secured the services of Mr. Benj. Irving, who is ably assisted by Elizabeth D. Kelsay, in the patient labor of training these unfortunate wards of the State.

The appropriation of \$1,000 by the last legislature for industrial purposes was expended in the erection of an industrial building, the basement of which is now used for a printing office, where pupils are instructed in the art of printing. "The Sign," a monthly paper, is issued; lessons are printed for the exercises in school, which materially aid and assist in training the pupil in the use of language. The value of industrial training cannot be over estimated, and your committee are of the opinion that the printing office is a valuable addition as an industrial branch of the school, and would recommend that the State Printer do the press work for their paper. Other branches of the industrial department of the school, which need more than a passing notice, are the carpenter shop and broom factory. In the former the pupils make all their tables, desks and cupboards and should be supplied with suitable tools to work with. In the broom shop we examined samples of their work and find that while this branch of industry is in its infancy, good brooms are manufactured here, and it only requires that a market be established to make this enterprise more than self-sustaining. And in this connection would state that we are informed that other institutions of the State consume about fifty dozen brooms per year, which could be supplied from this source at a figure much less than is now paid.

In conclusion, your committee would recommend that the esti-

mates of the Rev. P. S. Knight, superintendent of the school for deaf mutes, in his ninth biennial report for the two years beginning January 1, 1887, for an appropriation of \$16,000 for the purposes therein set forth, be adopted, and we cordially approve the indorsement of the executive committee of the board of directors.

All of which is respectfully submitted.

CHARLES HILTON,  
Senate Joint Committee.

I fully endorse the above and foregoing report as to the condition, workings and management of the deaf mute school, but do not concur in the recommendation as to the amount of appropriation, believing that \$14,000 to be sufficient for the support of said school for the time specified and the necessary improvements.

R. A. IRVINE,  
of Senate Joint Committee.

On motion of Mr. Hilton, the foregoing report was referred to the committee on ways and means.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 88, 122, 191, 90, 131, 108 and 146, beg leave to report the same back to the senate as correctly enrolled.

S. A. DAWSON,  
Chairman.

Mr. Watts moved to reconsider the vote by which the committee on railroads were instructed to report on senate bill No. 101.

On this question the ayes and nays were demanded by Messrs. Veatch, Irvine and Tongue.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Stanley, Tongue, Wait, Watkins, Watts, and Mr. President—19.

Nays—Messrs. Irvine, Raley, Veatch and Wager—4.

Absent—Messrs. Barin, Cauthorn, Dawson, Fullerton, Norval, Sinclair and Steel—7.

So the motion prevailed.

Mr. Stanley moved that the rules be suspended and the committee on railroads have leave to report on senate bill No. 101 at any time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Tongue, Watkins, Watts, and Mr. President—21.

Nays—Mr. Wager.

Absent—Messrs. Barin, Cauthorn, Dawson, Norval, Sinclair, Steel, Veatch and Wait—8.

So the rules were suspended and the motion prevailed.

Mr. Watts introduced the following resolution:

#### SENATE RESOLUTION NO. 24.

*Resolved*, That a committee of three be appointed to ascertain and report the mileage of the members of the Senate.

Senate resolution No. 24 was read, and on motion of Mr. Watts, adopted.

The President appointed Messrs. Chamberlin, Watts and Raley a committee pursuant to senate resolution No. 24.

On motion of Mr. Watts, the senate adjourned.

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#### EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Chamberlin, Eakin, Norval, Steel, Veatch and Wager.

By special request, Messrs. Veatch, Carson, Dawson, Eakin, Mackay and Steel were excused from attendance this evening on account of committee work.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. seventy-nine (79) and thirty-eight (38), beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 130, 159 and 98, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

The time having arrived for the consideration of senate bill No. 103, being a special order, the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Mackay, Veatch and Steel—8.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

By unanimous consent, Mr. Chandler, chairman of the special committee consisting of the Senators from Eastern Oregon, to whom was referred senate bill No. 164, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 164, beg leave to report that they have had the same under consideration, and would respectfully report accompanying substitute, and would respectfully recommend that said substitute be adopted in lieu of senate bill No. 164, and that it do pass.

GEO. CHANDLER,  
Chairman.

On motion of Mr. Chandler, the bill accompanying the foregoing report was ordered substituted for senate bill No. 164 and made senate bill No. 206, being a bill for an Act to aid the Eastern Oregon agricultural societies and to appropriate money therefor.

Mr. Chandler moved that the rules be suspended and senate bill No. 206 be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Fullerton, Mackay and Veatch—8.

So the rules were suspended and senate bill No. 206 was read the first time by title and passed to a second reading without a question.

Mr. Chandler moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Mackay, Steel and Veatch—8.

So the rules were suspended and senate bill No. 206 was read a



second time by title, and on motion of Mr. Chandler, was considered engrossed for a third reading to-morrow and ordered printed.

On motion of Mr. Chandler, further consideration of senate bill No. 164 was indefinitely postponed.

By unanimous consent, Mr. Raley was excused from further attendance during the evening session.

On motion of Mr. Looney, the courtesies of the senate were extended to A. W. Gilbert, and he was provided with a seat within the bar of the senate.

On motion of Mr. Dimick, the courtesies of the senate were extended to Mayor Williams of Salem, and he was provided with a seat within the bar of the senate.

By unanimous consent, Mr. Norval, chairman of the select committee to whom was referred senate bill No. 198, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 11, 1889. }

*Mr. President:*

Your special committee, consisting of the Senators from the sixth judicial district, to whom was referred senate bill No. 198, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
Chairman.

Mr. Norval moved that the rules be suspended and that senate bill No. 198 be considered engrossed and read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Carson, Mackay, Raley, Steel and Veatch—6.

So the rules were suspended and senate bill No. 198 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Carson, Mackay, Raley, Steel and Veatch—6.

So the bill was declared passed, and there being no objection, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 5 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Moore, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Hamilton, Mackay, Norval, Raley and Veatch—10.

So the bill was declared passed, and there being no objection, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 195 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Moore, Norval, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Hilton, Mackay, Raley, Steel and Veatch—7.

So the bill was declared passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 166 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hilton, Looney, Moore, Sinclair,

Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Hamilton, Hatch, Irvine, Mackay, Norval, Raley, Steel and Veatch—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

By unanimous consent, Mr. Irvine was excused from further attendance during the evening session.

Senate bill No. 203 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Moore, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Dimick, Hamilton, Irvine, Mackay, Norval, Raley, Steel and Veatch—10.

So the bill passed, and by unanimous consent Mr. Sinclair was allowed to amend the title of the bill as follows:

#### A BILL

For an Act to incorporate the town of Marshfield, Coos county, Oregon, and to repeal an Act entitled an Act to incorporate the town of Marshfield, approved October 24, 1874, and an Act entitled an Act to amend an Act to incorporate the town of Marshfield, approved October 14, 1876; also an Act entitled an Act supplemental to an Act entitled an Act to incorporate the town of Marshfield, approved October 24, 1874, approved October 26, 1880; also an Act entitled an Act to amend an Act to incorporate the town of Marshfield, approved October 24, 1879, approved February 15, 1887.

Now the title of the bill as amended was ordered to stand as the title of the Act.

On motion of Mr. Hatch, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

FRIDAY, FEBRUARY 15, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Gray, Mackay and Chamberlin; the last named was excused by the President on account of illness.

On motion of Mr. Barin, the reading of the journal of yesterday was dispensed with.

THIRD READING OF SENATE BILLS.—CONTINUED.

Senate bill No. 112 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Dimick, Fullerton, Hamilton, Hatch, Hilton, Looney, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins and Mr. President—18.

Nays—Messrs. Chandler, Cogswell, Eakin, Veatch, Wager and Watts—6.

Absent—Messrs. Chamberlin, Dawson, Gray, Irvine, Mackay and Tongue—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
January 30, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate

bill No. 28, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on engrossed bills respectfully report senate bills Nos. 132, 107, 115, 99, 110, 106, 89 and 154 correctly engrossed.

S. A. DAWSON,  
Chairman.

By special request, Mr. Irvine was excused until Monday at 2 o'clock P. M.

Senate bill No. 135 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Gray, and Irvine—3.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

On motion of Mr. Stanley, the courtesies of the senate were extended to Hon. J. C. Tolman of Ashland.

On motion of Mr. Barin, the courtesies of the Senate were extended to Hon. F. O. McCown of Oregon City.

On motion of Mr. Hatch, the courtesies of the senate were extended to Hon. J. W. Hawley of Polk county.

All of whom were provided with seats within the bar of the senate.

Senate bill No. 154 was read the third time.

The question now being, "Shall the bill pass?" Mr. Sinclair moved a call of the senate.

The roll being called, Messrs. Carson, Chamberlin (absent on

leave), Chandler, Dawson, Gray and Irvine (absent on leave), were found to be absent.

The Sergeant-at-Arms was instructed to notify absent members to appear within the bar of the senate, and the Doorkeeper ordered to attend to the door.

Messrs. Chandler and Dawson appeared and were noted as being present.

On motion of Mr. Watts, the further proceedings under the call was ordered dispensed with.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Cogswell, Dawson, Dimick, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Watkins, and Mr. President—18.

Nays—Messrs. Eakin, Fullerton, Veatch, Wager and Watts—5.

Absent—Messrs. Carson, Chamberlin, Chandler, Gray, Irvine, Looney and Wait—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 28 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Dawson, Eakin, Hamilton, Steel, Wait, Watts, and Mr. President—10.

Nays—Messrs. Dimick, Hatch, Hilton, Looney, Mackay, Moore, Norval, Stanley, Veatch, Wager and Watkins—11.

Absent—Messrs. Chamberlin, Chandler, Cogswell, Fullerton, Gray, Irvine, Raley, Sinclair and Tongue—9.

So senate bill No. 28 failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 4, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 151, to amend section 892 of the civil code of procedure of the laws of Oregon as compiled by W. Lair Hill.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 24, to transfer certain funds from special funds.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 74.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 74 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 109, to provide for the improvement and construction of a wagon road, etc.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 109 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 114, to amend section 877, title II, chapter XI, general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 85.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 85 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 164, to appropriate money to aid the county court of Benton county to construct a wagon road from Alsea valley to tide water.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate joint resolution No. 5.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 5 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill 38 and senate bill 79.

And the same are herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 38 and senate bill No. 79, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill 228, to amend chapter XXI of the code of criminal procedure.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill 72, to regulate the salaries of county judges.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 212, to amend section 1 of an Act to authorize the construction of a bridge across the Willamette river between the cities of Portland and East Portland.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 5, to amend an Act to incorporate the town of Medford.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 31, to amend an act to incorporate the city of Portland.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Mr. Carson moved that the rules be suspended and that house bill No. 91, accompanying the foregoing message, be read the first time by title.

The roll being called, the motion prevailed by the following vote:  
Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Wait, Watkins, Watts and Mr. President—22.

Nays—Messrs. Eakin, Tongue, Veatch and Wager—4.

Absent—Messrs. Cauthorn, Chamberlin, Irvine and Stanley—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Eakin, Tongue, Veatch and Wager—4.

Absent—Messrs. Cauthorn, Chamberlin, Dimick and Irvine—4.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

Mr. Carson moved that the rules be still further suspended and the bill be read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson,

Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Eakin, Looney, Tongue, Veatch and Wager—5.

Absent—Messrs. Chamberlin and Irvine—2.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Sinclair moved the previous question, seconded by Mr. Carson.

Whereupon the chair stated, "Shall the main question be now put?"

The same was sustained by a majority of the senate.

The main question being now stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Dawson, Dimick, Looney, Tongue, Veatch and Wager—6.

Absent—Messrs. Chamberlin and Irvine—2.

So the bill passed.

Mr. Watkins moved that the rules be suspended and house bill No. 49 be taken up and read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Stanley, Wager, Wait, Watkins, Watts, and Mr. President—19.

Nays—Messrs. Dimick, Eakin, Looney and Veatch—4.

Absent—Messrs. Chamberlin, Cogswell, Dawson, Irvine, Sinclair, Steel and Tongue—7.

So the senate refused to suspend the rules and the motion was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 137, to amend section 2621, general laws of Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 110, to amend an Act entitled an Act to amend sections 393 and 805 of code of civil procedure relating to procedure in equity suits.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 14, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 173, to incorporate the city of Portland.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 51, being a bill for an Act to create a weather bureau in the State of Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Mr. Norval moved that the rules be suspended and that the special committee having senate bill No. 161 referred to them be permitted to report on the same.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Fullerton, Gray, Hilton, Mackay, Moore, Norval, Raley, Wait, Watkins, Watts, and Mr. President—14.

Nays—Messrs. Dimick, Eakin, Hamilton, Hatch, Looney, Sinclair, Stanley, Tongue, Veatch and Wager—10.

Absent—Messrs. Cauthorn, Chandler, Cogswell, Dawson, Irvine and Steel—6.

So the senate refused to suspend the rules and the motion was lost.

On motion of Mr. Carson, the courtesies of the senate were extended to Hon. H. W. Corbett of Portland, who was provided with a seat within the bar of the senate.

Senate bill No. 118 was read the third time.

The question being, "Shall the bill pass?" Mr. Chandler moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Barin, Carson, Chamberlin (absent on leave), Cogswell, Dawson, Irvine (absent on leave) and Mackay.

Messrs. Cogswell, Dawson and Mackay appeared within the bar of the senate.

On motion of Mr. Chandler, further consideration under the call was dispensed with.

The question now being stated, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Mr. Fullerton.

Absent—Messrs. Chamberlin and Irvine—2.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 149 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Dawson and Irvine—3.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 33 was read the third time.

The question now being, "Shall the bill pass?"

Pending the discussion on the passage of senate bill No. 33, the senate, on motion of Mr. Cauthorn, adjourned.

### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chamberlin and Irvine, both absent on leave.

The consideration of senate bill No. 33 was resumed.

The question being stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Eakin, Fullerton, Gray, Sinclair, Steel, Watkins, and Mr. President—7.

Nays—Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Hamilton, Hatch, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, and Watts—19.

Absent—Messrs. Barin, Chamberlin, Hilton and Irvine—4.

So the bill failed to pass.

The consideration of house bill No. 37 was now taken up under special order.

By unanimous consent, Mr. Wager withdrew his first amendment offered yesterday, namely: To strike out sections 1, 4, 9 and 12.

The question now being stated, "Will the senate order house bill No. 37 referred to the committee on judiciary with instructions to amend as proposed on yesterday by Senator Wager?" the senate refused to so refer the bill, and the motion failed to prevail.

The amendment offered by Mr. Fullerton to the bill on yesterday was read, and, by unanimous consent, Mr. Fullerton withdrew the same.

The amendment offered by Mr. Moore to the bill on yesterday was read, and, by unanimous consent, Mr. Moore withdrew the same.

Mr. Chandler moved the previous question, seconded by Mr. Steel.

Whereupon the President stated, "Shall the main question be now put?" which was sustained by a majority of the senate.

The question being now put, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watts, and Mr. President—24.

Nays—Messrs. Gray, Veatch and Watkins—3.

Absent—Messrs. Chamberlin, Fullerton and Irvine—3.

So the bill passed.

On motion of Mr. Chandler, the vote by which senate bill No. 206 was ordered engrossed for a third reading to-morrow was reconsidered.

The question being now stated, "Shall senate bill No. 206 be ordered engrossed for a third reading to-morrow?" the senate refused to so order it engrossed.

Mr. Chandler now offered the following amendment to senate bill No. 206:

After the word "board," at the end of line 7 in section 3, add the following: And the commissioners of the second district shall meet at Dalles City, Oregon, and organize by the election of one of their number as president of the board, who shall hold the office of president for the term of one year, or until his successor is elected and qualified, and they shall also elect a secretary and treasurer, not of their number, who shall hold office for one year, and the time for holding the annual meeting of said board shall be fixed by the board.

On motion of Mr. Chandler, the foregoing amendment was adopted.

On motion of Mr. Chandler, senate bill No. 206 as amended was ordered engrossed for a third reading to-morrow.

Mr. Chandler introduced the following:

#### SENATE RESOLUTION NO. 25.

WHEREAS, Life is short and time valuable; therefore, be it

*Resolved by the Senate*, That no member be allowed to speak more than five minutes on any one subject without special permission of two-thirds of the members present.

On motion of Mr. Chandler, senate resolution No. 25 was adopted.



Mr. Raley moved that the rules be suspended and the consideration of senate bill No. 161 be made the special order for 10 o'clock A. M. to-morrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Fullerton, Gray, Hilton, Norval, Raley, Stanley, Watkins, and Mr. President—10.

Nays—Messrs. Dimick, Eakin, Hamilton, Hatch, Looney, Mackay, Moore, Sinclair, Tongue, Veatch, Wager, Wait and Watts—13.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Irvine and Steel—7.

So the senate refused to suspend the rules and the motion was lost.

Senate bill No. 80 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Norval, Sinclair, Stanley, Steel, Watkins, and Mr. President—19.

Nays—Messrs. Dimick, Looney, Moore, Veatch, Wager, Wait and Watts—7.

Absent—Messrs. Chamberlin, Irvine, Raley and Tongue—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Stanley moved that when the senate adjourns it adjourn to meet at 7:30 o'clock to-night for the consideration of corporation bills.

Which motion prevailed.

Senate bill No. 81 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Looney, Mackay, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Moore and Veatch—2.

Absent—Messrs. Cauthorn, Chamberlin, Hatch, Irvine, Norval and Raley—6.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Mr. Fullerton moved that the rules be suspended, and the consideration of senate bill No. 168 be made the special order for 7:30 o'clock this evening.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Fullerton, Gray, Norval, Sinclair, Stanley, Steel, Watkins, and Mr. President—10.

Nays—Messrs. Dawson, Dimick, Eakin, Hamilton, Hilton, Looney, Mackay, Moore, Tongue, Veatch, Wager, Wait and Watts—13.

Absent—Messrs. Barin, Cauthorn, Carson, Chandler, Hatch, Irvine and Raley—7.

So the senate refused to suspend the rules, and the motion was lost.

On motion of Mr. Dawson, the senate adjourned.

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### EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Chamberlin, Hatch, Irvine, Mackay and Stanley.

By unanimous consent, Mr. Cauthorn returned senate bill No. 182 for a third reading, and with notice that the necessary amendment had been made.

The clerk, by request of Mr. Cauthorn, read the remonstrance to said bill.

Senate bill No. 182 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Irvine, Mackay and Sinclair—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 15, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 117, to establish a reform school for juvenile offenders, and erect necessary buildings therefor.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 117 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 15, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 31 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 31, and shortly afterwards stated that he had signed the same.

House bill No. 33 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Irvine, Mackay, Stanley and Watkins—7.

So the bill was declared as having passed.

House bill No. 108 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Chandler, Gray and Irvine—5.

So the bill was declared as having passed.

By request, Mr. Cauthorn was excused from further attendance this evening.

Mr. Mackay, chairman on the part of the senate of the committee to examine into the affairs of the Oregon State penitentiary, pursuant to house concurrent resolution No. 10, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889.

*To the Honorable Legislative Assembly of the State of Oregon:*

We, your committee to whom was referred house concurrent resolution No. 10, to examine and report upon the condition and management of the penitentiary, respectfully submit the following:

We have examined the books and accounts of the aforesaid institution for the whole term included in the superintendent's biennial report, together with vouchers drawn and all items in the invoice bills for which said vouchers were issued, and find them corresponding.

We recommend that the books of the institution be kept hereafter more in uniform with those of the Secretary of State, as under the present system and manner they are almost unintelligible.

We find that the disbursements for the several improvements have been carefully and economically expended, the work completed being ornamental and substantial.

Upon investigation of the requirements for the ensuing term we would respectfully submit the following recommendations:

First—That two (2) arc electric lamps be placed as follows: One in the kitchen and the other in the main office. For this purpose \$200 should be appropriated.

Second—That there is urgent need of a span of horses for use

at the penitentiary, those now in the stables being aged and uncertain for service. Appropriation, \$300.

Third—The new iron fence just completed requires painting, and the brick foundation for the same should be cemented. Appropriation, \$200.

Fourth—That the south wing of the prison building is sadly in need of protection, and we suggest that it be cemented. Appropriation, \$250.

Fifth—We further recommend that the tanks at present on the roof of the main building be removed, and that suitable water towers be erected adjacent to the prison. For this purpose an appropriation of \$3,500 is needed.

Sixth—We deem it absolutely necessary that better means of ventilation be introduced, and that there be appropriated for the work \$800.

Seventh—The tin roof of the main building is in bad condition, caused by the overflow of water from the present system of water tanks, and should be repaired; for which work \$500 is required.

Eighth—Referring to the interrogation of the superintendents concerning the obligation of the State to furnish the wood for the heating of the foundry shops, the committee would report that they have examined the contract and find nothing therein which requires the State to furnish the fuel with which to heat the shops.

Ninth—We also recommend that an appropriation be made for the salary of a commissarian, as such an office is essentially a safeguard against improperly auditing of supply accounts, and that he be required to keep a complete record of all property and produce which passes through his hands, and verify the same quarterly before the Secretary of State.

Tenth—There being much machinery now on the penitentiary ground, we urgently recommend that an efficient engineer and plumber be employed to take charge of the same. We recommend therefor \$1,800.

Eleventh—Referring to the superintendent's request for an appropriation with which to place new floors in the foundry shops, we recommend that the same be allowed. Believing that the sanitary condition of the building would be improved by the removal of the decayed wooden floors and that concrete work would be more durable, we therefore recommend that such a floor be placed in the shops, and an appropriation be made therefor of \$3,500.

Your committee find the property of the State is carefully attended by Superintendent Downing, and the buildings and grounds are in a neat and cleanly condition.

Without segregating the different accounts under the various

persons in charge, a general summary shows the expenditures on account of the Oregon penitentiary for the years 1887 and 1888 to be in excess of those for the corresponding terms of 1885 and 1886.

The following comparison is submitted:

Total appropriation for 1887 and 1888 was	\$68,280 00	
Deficit	4,064 64	
	<hr/>	
	\$72,340 64	
By balance of appropriation unexpended	971 70	
Total expenses for 1887 and 1888		71,368 94
Total appropriation for 1885 and 1886	\$58,420 00	
By balance of appropriation unexpended	2,638 42	55,781 58
	<hr/>	
Excess of expenditures for 1887-88 over 1885-86		\$ 15,587 36
The daily average number of convicts for the term 1885 and 1886 was		278.71
Same term 1887 and 1888		259.76
		<hr/>
Greater number of convicts in 1885-86 of		18.95
The average annual expense per convict for 1885-86 was	\$	102 56
Same for years 1887-88		133 99
		<hr/>
Increase of 1887-88 over 1885-86	\$	31 43
Or an increase of over 35 per cent.		

To complete the foregoing comparisons of the summary of accounts, there should be added to the expense excess of 1887 and 1888 the cost of keeping the number of convicts during 1885 and 1886 over the number creating the expense of 1887 and 1888. At the lowest cost per convict that of 1885 and 1886, which was \$102.56 per year, being \$3,887.02.

The foregoing indicates the actual excess in expense for 1887 and 1888 to be \$15,587.36.

Comparatively it has been \$19,474.38 over that of 1885 and 1886, without any apparent satisfactory explanation.

Your committee has recommended an appropriation of \$1,800 for the payment of an adequate salary to a commissarian. We also recommend an increase in the pay of a book-keeper and turnkey. In future this should secure the services of competent persons, and insure to the State intelligible accounting for the use of public funds.

The Governor is required to visit the penitentiary at least four times a year, receiving for the service two hundred dollars annually.

He is the supervising officer, and determines the economic policy of the institution; we suggest that in consideration of the efforts of this committee to provide for a more competent, convenient and correct system of accounting for his inspection, that His Excellency may be able to give the details of the executive administration at the penitentiary, such personal attention as may cause the State a proportionate decrease in expenses.

#### SALARIES—PENITENTIARY.

We append recommendations as follows:

For salary of superintendent.....	\$ 3,000
For salary of wardens.....	4,200
For pay of teamster .....	960
For pay of shop guards (four at \$60 per month) .....	5,760
For pay of bookkeeper and turnkey .....	1,800
For pay of day chapel guard.....	1,200
For pay of day guards.....	12,000
For salary visiting physician .....	1,000
For salary principal nightwatchman.....	1,800
For salary principal outside watchman.....	1,200
For salary principal inside watchman.....	960
For purchase firewood .....	5,000
For salary commissary .....	1,800
For salary engineer and plumber .....	1,800
For salary assistant nightwatchman .....	1,560
General expense .....	33,000

Respectfully submitted,

DONALD MACKAY,  
J. H. HAMILTON,  
On part of the senate.  
JOHN Q. WILSON,  
THERON E. FELL.  
E. B. GAMBEE,  
On part of the house.

On motion of Mr. Mackay, the foregoing report was referred to the committee on ways and means.

By unanimous consent, Mr. Mackay introduced the following resolution:

#### SENATE JOINT RESOLUTION NO. 6.

WHEREAS, At present there is no authority in the statutes whereby either the superintendent or wardens of the State peniten-

tiary or any officer of the penitentiary is compelled to reside in the State penitentiary buildings; and,

WHEREAS, It appearing that the discipline and good government of the prison and the best interests of the State would be subserved that either the superintendent or warden should be required to reside within the building of the State penitentiary; therefore, be it

*Resolved by the Senate, the House concurring :*

That either the superintendent and his family or the first warden and his family be required to reside in that portion of the building set apart for the use of the superintendent or warden for residence purposes.

Mr. Mackay moved the adoption of senate joint resolution No. 6.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Fullerton, Gray, Hilton, Irvine and Steel—7.

So senate joint resolution No. 6 was declared adopted.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 74, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

House bill No. 55 coming on for a first reading, Mr. Sinclair moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick,



Eakin, Fullerton, Hilton, Looney, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—21.

Nays--None.

Absent—Messrs. Cauthorn, Chamberlin, Gray, Hamilton, Hatch, Irvine, Mackay, Steel and Wait—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Sinclair moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hatch, Hilton, Looney, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Gray, Hamilton, Irvine, Mackay and Steel—7.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Sinclair moved that the rules be still further suspended and the bill be read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Moore, Norval, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Irvine, Mackay, Raley and Steel—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Eakin, Hatch, Irvine and Steel—7.

So the bill was declared as having passed.

Mr. Tongue gave notice that on to-morrow or at some subsequent period he would move to reconsider the vote whereby senate bill No. 204 was passed and move to recall the same from the house.

House bill No. 194 coming on for a first reading, Mr. Mackay moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Gray, Irvine and Steel—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson moved that the rules be further suspended and that the bill be read the second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Gray, Hilton, Irvine, Sinclair and Steel—9.

So the rules were suspended and the bill was read a second time by title.

Mr. Carson submitted the following amendments to house bill No. 194.

Amend section 8 by inserting the word "shall" between the words "or" and "be" on the second line of the fourth page.

Amend section 37 by inserting the words "each year" at the end of the third line of said section, by inserting at the end of subdivision 5 the words: "*provided*, that no license to sell or dispose of spirituous or malt liquors shall be granted by said council for a less sum than shall at the date of such license be required to be paid for like license by the general laws of the State of Oregon; by striking out the word "spread" in subdivision 19 and inserting the word "spreading" in lieu thereof, and by inserting the word "the" between the last two words of subdivision 35 of section 37.

Amend section 95 by adding thereto the words "but no such

notice shall be given until the owners of one-half of the property affected by such improvement shall petition for the same."

Amend section 99 so that it shall read as follows: "Section 99. In the case of a notice to establish a grade or for the alteration thereof, the council within the time limited by section 98 may establish or alter such grade by ordinance as proposed in the notice."

Amend section 106 by striking out the word "as" on the last line of said section and inserting the word "so" in lieu thereof.

Amend section 111 by inserting the word "years" after the word "three" therein.

Amend section 155 by striking therefrom the words "and all bonds issued under this Act shall be exempt from taxation either by this State or any county or municipal corporation therein."

Amend section 37 of bill by adding to subdivision 30 the following: "The owner of any water mains now laid in the streets of Albina shall have the same right and permission to open street surfaces to tap such mains and connect service pipes therewith that is or may be granted or allowed to any other person, firm or corporation."

On motion of Mr. Carson, the foregoing amendments were adopted.

Mr. Carson moved that the rules be still further suspended and the bill be read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Irvine, Sinclair and Tongue—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Stanley, Steel, Veatch, Wager, Wait, Watkins, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Fullerton, Irvine, Norval, Sinclair, Tongue and Watts—8.

So the bill passed.

House bill No. 115 coming on for first reading, Mr. Eakin moved

that that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Fullerton, Hatch, Hilton, Irvine, Norval and Watts—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Eakin moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Fullerton, Irvine, Norval, Sinclair and Steel—9.

So the rules were suspended and the bill was read a second time by title.

Mr. Eakin moved to amend house bill No. 115 by striking out all of section 112, exemption-from-taxation clause.

On motion of Mr. Eakin, the foregoing amendment was adopted.

Mr. Veatch moved that the rules be still further suspended and the bill be read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Dimick, Fullerton, Irvine, Sinclair and Steel—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton,

Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Stanley, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Irvine, Raley, Sinclair, Steel, Tongue and Wager—10.

So the bill pass.

House bill No. 54 coming on for a first reading, Mr. Cogswell moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Fullerton, Irvine, Sinclair, Steel and Wager—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Fullerton, Hilton, Irvine, Sinclair, Steel and Wager—10.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

Mr. Cogswell moved that the rules be further suspended and that the bill be read the third time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Irvine, Sinclair, Stanley, Steel and Wager—9.

So the rules were suspended and the bill read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Gray, Irvine, Sinclair and Steel—8.

So the bill passed.

By unanimous consent, Mr. Watts introduced senate bill No. 207, being a bill for an Act to amend an Act incorporating the town of Dayton.

Mr. Watts moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Carson, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Irvine, Sinclair and Steel—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without further question.

Mr. Watts moved that the rules be further suspended and the bill be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Irvine, Mackay, Sinclair and Steel—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Watts moved that the rules be still further suspended and the bill be considered engrossed and read the third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Irvine, Sinclair and Steel—8.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Irvine, Sinclair, Steel and Tongue—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

House bill No. 139 coming on for a first reading, Mr. Stanley moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Irvine, Raley, Sinclair, Stanley and Steel—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Fullerton, Irvine and Sinclair—7.



So the rules were suspended and the bill was read a second time by title, and on motion of Mr. Watts, was amended as follows:

Add to subdivision 4 of section 8, after the word "sold:" *provided, however,* that no license for the sale of spirituous, vinous or malt liquors shall be issued for a sum less than is prescribed by the general laws of the State of Oregon for the license of the sale of spirituous, vinous or malt liquors in force at the time of the issuance of such license.

Mr. Stanley moved that the rules be still further suspended and the bill be read the third time.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Fullerton, Irvine and Sinclair—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Irvine, Sinclair and Steel—6.

So the bill passed.

On motion of Mr. Raley, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

SATURDAY, FEBRUARY 16, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1889. }

The senate met at the usual hour and was called to order by President Simon.



The roll was called.

All the Senators were present except Messrs. Chamberlin, Hatch, Irvine and Wager.

Mr. Watts moved that the vote by which house bill No. 108 was passed yesterday be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Looney, Mackay, Moore, Norval, Sinclair, Tongue and Watts—13.

Nays—Messrs. Carson, Fullerton, Gray, Hilton[?], Raley, Stanley, Wait, Watkins, and Mr. President—9.

Absent—Messrs. Barin, Chamberlin, Hilton[?], Hatch, Irvine, Steel, Veatch and Wager—8.

So the motion was lost and the senate refused to reconsider said vote.

Mr. Dawson moved that when the senate adjourns it adjourn to meet at 1 o'clock P. M. on next Monday.

Mr. Fullerton moved to amend by making it 10 o'clock A. M. on Monday.

Which motion was lost.

A vote being taken on Mr. Dawson's motion, the same prevailed.

Mr. Chandler moved that the rules be suspended and the consideration of senate bill No. 206 be resumed and read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Gray, Hilton, Norval, Raley, Steel, Tongue and Watkins—10.

Nays—Messrs. Barin, Carson, Dawson, Dimick, Eakin, Fullerton, Hamilton, Looney, Mackay, Moore, Sinclair, Stanley, Wait, Watts, and Mr. President—15.

Absent—Messrs. Chamberlin, Hatch, Irvine, Veatch and Wager—5.

So the senate refused to suspend the rules and the motion was lost.

On motion of Mr. Chandler, it was ordered that senate bill No. 206 take the place of 164 on the calendar.

By request, Messrs. Hatch, Veatch and Chamberlin were excused from attendance on the session to-day.

On motion of Mr. Tongue, the vote by which senate bill No. 204 was passed was ordered reconsidered now.

Mr. Tongue moved that the further consideration of senate bill No. 204 be made the special order for Monday at 2 o'clock P. M.

Which motion prevailed.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bills Nos. 201, 128, 97, 96, 142, 125, 121, 133, 172, 170, 64, 189, 123, 60, 186 and 206, beg leave to report the same back to the senate as correctly engrossed.

S. A. DAWSON,  
Chairman.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 163, for the relief of Tillamook county.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 195, with an amendment attached thereto.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The amendment accompanying the foregoing message to senate bill No. 195 was, on motion of Mr. Stanley, concurred in by the senate, and is in words and figures as follows:

## AMENDMENT TO SENATE BILL NO. 195.

Amend section 1 by inserting in lieu thereof the following:  
Section 1. That the boundary line of the corporation of the town of Jacksonville shall commence at the southwest corner of the southeast  $\frac{1}{4}$  of section 31, township 37 south, range 2 west, Willamette meridian, running east 160 chains; thence north to the south boundary of J. N. T. Miller's land claim; thence west 160 chains; thence south to place of beginning.

Senate bill No. 195 was ordered enrolled

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 237, relating to assessment and taxation.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 69.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 69 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has

passed house bill No. 179, locating, opening and maintaining roads and chutes to be used for lumbering and logging purposes.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 187, to amend an Act to organize school districts in incorporated towns of 10,000 inhabitants.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 18, to create the county of Sherman and fix salaries of county judge and treasurer thereof.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 121, to prevent sheep being moved from any county in this State into any other county in this State.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 5.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 5 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 170, to appropriate money to aid the counties of Washington and Tillamook to construct a wagon road.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate joint resolution No. 6.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 6 was ordered enrolled.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following :

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 85 and 109, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## THIRD READING OF SENATE BILLS.—CONTINUED.

Senate bill No. 82 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Chandler, Hatch, Irvine, Veatch and Wager—7.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 86 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—24.

Nays—Mr. Tongue.

Absent—Messrs. Chamberlin, Hatch, Irvine, Veatch, and Wager—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

By request, Mr. Cauthorn was excused from further attendance to-day.

Senate bill No. 201 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Fullerton, Hatch, Irvine, Looney, Sinclair, and Veatch—9.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

By request, Mr. Dawson was excused from further attendance to-day.

Senate bill No. 88 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Sinclair, and Veatch—8.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 89 was read the third time.

The question being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Sinclair and Veatch—8.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 90 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin,

Fullerton, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Tongue, Wait, Watkins and Watts—18.

Nays—Messrs. Wager and Mr. President—2.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Gray, Hatch, Irvine, Looney, Sinclair, Steel and Veatch—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 94 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Dimick, Eakin, Fullerton, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—19.

Nays—Mr. Cogswell.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Gray, Hatch, Irvine, Looney, Sinclair, Steel and Veatch.—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 98 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Gray, Hatch, Irvine, Looney, Steel and Veatch—9.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 99 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dimick, Fullerton, Gray, Hamilton, Mackay, Raley, Stanley, Steel, Wait, Watts, and Mr. President—14.

Nays—Messrs. Chandler, Eakin, Hilton, Moore, Norval, Wager and Watkins—7.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Sinclair, Tongue and Veatch—9.

So the bill failed to pass.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 59.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 59 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 16, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 37 has been reported as correctly enrolled and that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 37, and shortly afterwards stated that he had signed the same.

Senate bill No. 104 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Mr. Eakin.

Nays—Messrs. Barin, Carson, Chandler, Dimick, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Absent—Messrs. Cauthorn, Chamberlin, Cogswell, Dawson, Hatch, Irvine, Looney, Sinclair and Veatch—9.

So the bill failed to pass.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 16, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bill No. 74, senate bill No. 85 and senate bill No. 109.

And the same are herewith returned.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign senate bill No. 74, senate bill No. 85 and senate bill No. 109, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 16, 1889. }

*Mr. President :*

I am directed by the Speaker that having been requested by Senator Gray and upon action of the house accordingly, senate bill No. 86 is herewith returned to you.

J. T. GREGG,  
 Chief Clerk.

Mr. Gray, having ascertained that senate bill No. 86 already contained the provisions he had been desirous of inserting by amendment, it was ordered returned to the house for further consideration.

Senate bill No. 106 was read the third time.

On motion of Mr. Fullerton, was ordered indefinitely postponed.

Senate bill No. 107 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Raley, Sinclair, Steel and Veatch—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 108 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney and Veatch—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 110 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dimick, Fullerton, Raley, Sinclair, Stanley, Tongue and Wager—9.

Nays—Messrs. Barin, Carson, Eakin, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Wait, Watkins, Watts, and Mr. President—13.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Steel and Veatch—8.

So the bill failed to pass.

Senate bill No. 115 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—Mr. Raley.

Absent—Messrs. Cauthorn, Chamberlin, Cogswell, Dawson, Hatch, Irvine, Looney, Steel and Veatch—9.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 122 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Full-

erton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Stanley, Tongue, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Sinclair, Steel, Veatch and Wager—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Watkins moved that the rules be suspended and the consideration of senate bill No. 206 be made the special order for Monday at 3 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Gray, Hilton, Moore, Norval, Raley, Steel, Tongue, Wager, Wait, and Watkins—12.

Nays—Messrs. Dimick, Eakin, Fullerton, Hamilton, Mackay, Stanley, Watts, and Mr. President—8.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Hatch, Irvine, Looney, Sinclair, and Veatch—10.

So the senate refused to suspend the rules, and the motion was lost.

On motion of Mr. Gray, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

MONDAY. FEBRUARY 18, 1889.

AFTERNOON SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Irvine, Norval, Stanley, Tongue and Wager.

By unanimous consent, Mr. Fullerton, chairman of the committee on public lands, was granted permission to submit the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1889. }

*Mr. President:*

Your committee on public lands, to whom was referred house joint memorial No. 8, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate without recommendation.

J. C. FULLERTON,  
Chairman.

On motion of Mr. Cauthorn, house joint memorial No. 8 was ordered laid on the table.

At this time the President laid before the senate the following communication:

## COMMUNICATION.

*To the Honorable President of the Senate, Senators and Officers—*

GENTLEMEN: Yourselves and ladies are cordially invited to attend the "Sca. C." entertainment and supper to be given at the Congregational church and parlors, on Tuesday evening, February 19.

By the committee:

MRS. J. J. MURPHY,  
MRS. F. J. BABCOCK,  
MRS. GEO. H. JONES,  
MRS. I. N. GILBERT,  
MISS SALLY BUSH,

And ladies of the Congregational church.

On motion of Mr. Carson, the foregoing invitation was accepted.

Mr. Raley, chairman of a special committee composed of the Senators from Union county, moved that the rules be suspended and that said committee have leave to report on senate bill No. 161 now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Fullerton, Gray, Hamilton, Hatch, Mackay, Norval, Raley, Steel, Veatch, Wait, Watts, and Mr. President—17.

Nays—Messrs. Chamberlin, Chandler, Dimick, Eakin, Hilton, Looney, Moore, Sinclair, Stanley and Watkins—10.

Absent—Messrs. Irvine, Tongue and Wager—3.

So the senate failed to suspend the rules, and the motion was lost.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 117, and senate joint resolutions Nos. 5 and 6, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 146 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Hatch, Tongue and Wager—3.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 130 was read the third time, and on motion of Mr. Fullerton, the further consideration of senate bill No. 130 was indefinitely postponed.

Mr. Steel, by unanimous consent, introduced the following resolution:

#### SENATE RESOLUTION NO. 26.

*Resolved,* That the per diem of the officers of the senate for the fifteenth biennial session shall be as follows:

Chief Clerk, \$10; First Assistant Clerk, \$8; Second Assistant Clerk, \$8; Reading Clerk, \$8; Sergeant-at-Arms, \$6; Doorkeeper, \$5; Pages, each, \$3.

Mr. Steel moved the adoption of the foregoing resolution.

Mr. Raley moved to amend the same by making the compensation of the Reading Clerk \$10 per day, the same as that of the Chief Clerk.

Which motion prevailed.

Mr. Fullerton now moved to still further amend senate resolution No. 26, by making the compensation of the First and Second Assistant Clerks \$10 per day, the same as the Chief Clerk.

Which motion prevailed.

The vote being now taken on the adoption of senate resolution No. 26, the same prevailed and the resolution as amended was ordered adopted.

Mr. Watts, by unanimous consent, introduced the following resolution:

**SENATE RESOLUTION NO. 27.**

*Resolved*, That the President of the Senate be directed to appoint a committee of two Senators, whose duty it shall be, in connection with the Chief Clerk and Assistant Clerks, to examine and correct every error that may appear on the journals of the senate, and the said committee shall then approve the same, and that the said clerks be allowed such time, not exceeding twelve days, as said committee may deem necessary to complete the records and file all papers with the Secretary of State.

On motion of Mr. Watts, senate resolution No. 27 was ordered adopted.

Senate bill No. 131 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Veatch, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Dawson, Gray, Steel, Tongue and Wager—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 206 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, and Mr. President—20.

Nays—Messrs. Chamberlin, Dawson, Dimick, Irvine, Looney, Veatch and Watts—7.

Absent—Messrs. Mackay, Tongue and Wager—3.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

By unanimous consent, Mr. Barin introduced the following resolution:

#### SENATE RESOLUTION NO. 28.

*Resolved*, That the per diem of Mailing Clerk of the senate for the fifteenth biennial session shall be, Mailing Clerk, \$5.00.

On motion of Mr. Barin, the foregoing senate resolution No. 28 was adopted.

Senate bill No. 138 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Sinclair, Steel, Tongue and Wager—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 16, 1889. }

*Mr. President:*

Your committee on engrossed bills respectfully report senate bills Nos. 181 and 10 correctly engrossed.

S. A. DAWSON,  
Chairman.

Senate bill No. 139 was read the third time.



The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Raley, Stanley, Steel, Wait, Watts, and Mr. President—19.

Nays—Messrs. Cauthorn, Looney, Moore, Norval and Veatch—5.

Absent—Messrs. Barin, Chamberlin, Sinclair, Tongue, Wager and Watkins—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

By unanimous consent, the consideration of senate bill No. 141 was ordered to be passed at present, to be taken up on the return of Mr. Tongue to the senate chamber.

Senate bill No. 126 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Veatch, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Chandler, Cogswell, Fullerton, Hatch, Sinclair, Tongue and Wager—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 137 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Veatch and Irvine—2.

Absent—Messrs. Barin, Carson, Sinclair, Tongue and Wager—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bill No. 69, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 152 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Chamberlin, Moore and Veatch—3.

Absent—Messrs. Barin, Carson, Sinclair, Tongue and Wager—5.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Cogswell, the courtesies of the senate were extended to Hon. J. K. Weatherford, ex-State Senator from Linn county, who was provided with a seat within the bar of the senate.

At the request of Mr. Moore, it was ordered that Mr. Tongue be excused from attendance this afternoon.

Senate bill No. 159 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chandler, Gray, Hatch, Tongue, Veatch and Wager—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 157 was read the third time.

The question now being, "Shall the bill pass?" at the request of

the Senators from the respective counties, the clerk was ordered to make the following changes:

In line 8 of the printed bill strike out the word "two" and insert the word "three" in lieu thereof.

In line 9 of the printed bill strike out the word "three" and insert "four" in lieu thereof.

In line 10 of the printed bill strike out the word "two" and insert "three" in lieu thereof. Insert "Crook county four hundred dollars."

In line 11 strike out the word "five" and insert "seven hundred and twenty" in lieu thereof. Insert "Gilliam county three hundred dollars."

In line 13 strike out the word "five" and insert "seven" in lieu thereof.

In line 15 add the words "and fifty" after the word "hundred." Insert "Klamath county four hundred dollars."

In line 22 strike out the word "five" and insert "eight" in lieu thereof.

In line 25 strike out the word "five" and insert "six" in lieu thereof. Insert "Wallowa county three hundred dollars."

Amend emergency clause by adding "s" to "treasurer." Strike out the word "Multnomah" and insert in lieu thereof the words "the several," and adding to the word "county" the plural "ies."

By unanimous consent, the President ordered senate bill No. 157 engrossed immediately and deferred the vote until the return of the bill from the engrossing committee.

Senate bill No. 132 was read the third time.

The question now being, "Shall the bill pass?" Mr. Chandler moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Barin, Chamberlin, Cogswell, Gray and Tongue (absent on leave.)

The Sergeant-at-Arms was instructed to notify the absent Senators to appear within the bar of the Senate, and the Doorkeeper ordered to attend the door.

Messrs. Chamberlin, Dawson and Gray having made their appearance within the bar of the senate, on motion of Mr. Steel the further consideration of the call was dispensed with.

The question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Fullerton, Hamilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, Watkins, and Mr. President—16.

Nays—Messrs. Barin, Chamberlin, Dawson, Dimick, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Veatch, and Watts—12.

Absent—Messrs. Tongue and Wait—2.

So the bill was passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Carson introduced the following resolution:

SENATE CONCURRENT RESOLUTION NO. 10.

*Resolved by the Senate, the House concurring:*

That the several joint committees are authorized to fix the compensation of the clerks of their respective committees; and upon presentation of the certificate of the chairman of the amount due each of said clerks, the Secretary of State is authorized to draw his warrant for the same on the State Treasurer for payment.

On motion of Mr. Carson, the foregoing senate concurrent resolution No. 10 was adopted.

Senate bill No. 168 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wager, Wait, and Mr. President—19.

Nays—Messrs. Chamberlin, Dawson, Dimick, Hatch, Irvine, Looney, Veatch, Watkins and Watts—9.

Absent—Messrs. Eakin and Tongue—2.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Barin introduced the following resolution:

SENATE RESOLUTION NO. 29.

*Resolved,* That the several committees of the senate are authorized to fix the compensation of the clerks of their respective committees; and upon presentation of the certificate of the chairman of the amount due each of said clerks, the Secretary of State is authorized to draw his warrant for the same on the State Treasurer for payment.

On motion of Mr. Barin, senate resolution No. 29 was adopted.

Mr. Watts moved that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening, to consider house incorporation bills and afterwards senate bills of a local nature.

Mr. Cauthorn moved to amend by inserting instead of "incorporation bills," "bills on the subject of education."

Which motion was lost.

A vote being taken on the motion of Mr. Watts, the same prevailed.

Mr. Eakin moved that the rules be suspended and house bill No. 237 be made the special order for consideration to-morrow evening at 7:30 o'clock.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Chandler, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Raley, Veatch, Wager, Wait and Watts—16.

Nays—Messrs. Carson, Cauthorn, Cogswell, Fullerton, Mackay, Norval, Sinclair, Stanley, Steel, Watkins and Mr. President—11.

Absent—Messrs. Barin, Dawson and Tongue—3.

So the senate refused to suspend the rules, and the motion was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 16, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 67, a bill for an Act to amend subdivision 9 of section 2590, title III, chapter XVI, of Hill's code, relating to the duties of county superintendents.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Mr. Cauthorn moved that the rules be suspended and house bill No. 67 be considered under special order to-morrow at 10 o'clock A. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Cogswell, Dimick, Hamilton, Hatch, Irvine, Looney, Moore, Sinclair and Veatch—11.

Nays—Messrs. Carson, Chandler, Dawson, Eakin, Fullerton, Gray, Hilton, Mackay, Norval, Raley, Stanley, Steel, Wager, Wait, Watkins, Watts, and Mr. President—17.

Absent—Messrs. Barin and Tongue—2.

So the senate refused to suspend the rules, and the motion was lost.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has [passed] senate bill No. 116.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 116 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 19, to create a board of horticulture and appropriate money therefor.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 230, to appropriate money to aid the county court of Baker county to construct a wagon road from the town of Huntington to the mouth of Connor creek, Baker county, Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 54 has been reported as correctly enrolled, and that he has signed it.

And the same are herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The president announced that he was about to sign house bill No. 54, and shortly afterward stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 10.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 236, to protect contractors, sub-contractors and laborers in their claims against railroad corporations.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Mr. Wager moved that the rules be suspended and house bill No. 236 be now read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dawson, Gray, Hamilton, Irvine, Looney, Moore, Norval, Raley, Steel, Veatch, Wager, Wait and Watkins—13.

Nays—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dimick, Eakin, Fullerton, Hatch, Hilton, Mackay, Sinclair, Stanley, Watts, and Mr. President—14.

Absent—Messrs. Barin, Chandler and Tongue—3.

So the senate refused to suspend the rules, and the motion was lost.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 55 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 55, and shortly afterwards stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 117, senate joint resolution No. 6, and senate joint resolution No. 5.

And the same are herewith transmitted to you.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 117, senate joint resolution No. 6, and senate joint resolution No. 5, and shortly afterwards stated that he had signed the same.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 69.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 69, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 33 has been reported as correctly enrolled, and that he has signed it.

And the same is herewith transmitted for signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 33, and shortly afterwards stated that he had signed the same.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

Your committee on engrossed bills respectfully report senate bill No. 157 correctly engrossed.

S. A. DAWSON,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 175, for holding agricultural institutes and appropriating money therefor.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 173 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins and Watts—26.

Nays—None.

Absent—Messrs. Barin, Carson, Tongue, and Mr. President—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Wager moved that the rules be suspended and the consideration of house bill No. 237 be made the special order for 10 o'clock A. M. to-morrow.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Wager and Wait—16.

Nays—Messrs. Cauthorn, Hamilton, Mackay, Veatch, Watkins and Watts—6.

Absent—Messrs. Barin, Carson, Cogswell, Sinclair, Stanley, Steel, Tongue, and Mr. President—8.

So the senate refused to suspend the rules, and the motion was lost.

Senate bill No. 175 was read the third time, and on motion of Mr. Stanley, the further consideration of senate bill No. 175 was indefinitely postponed.

Senate bill No. 157 was now read the third time again.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Moore, Sinclair, Steel and Tongue—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 177 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—Mr. Raley.

Absent—Messrs. Barin, Sinclair and Tongue—3.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 191 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Wait, Watts, and Mr. President—21.

Nays—Messrs. Wager and Watkins—2.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Sinclair, Tongue and Veatch—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 194 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—Mr. Veatch.

Absent—Messrs. Barin, Chamberlin, Chandler, Sinclair and Tongue—5.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 60 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was?

Those voting aye were:

Messrs. Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—Messrs. Cauthorn, Fullerton and Hamilton—3.

Absent—Messrs. Barin, Chamberlin, Chandler, Sinclair, Stanley and Tongue—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 196 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Stanley, Steel, Veatch, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Mackay, Sinclair, Tongue and Wager—6.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

#### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 18, 1889. }

*To the Honorable, the Senate and House of Representatives of the State of Oregon:*

It has been proposed by a committee of the most distinguished citizens of New York to celebrate in that city the centennial anniversary of the last of the great historic events which marked the first epoch of our national existence, the inauguration of George

Washington as first President of the United States, which will occur on the 30th of April, proximo.

Several communications from the distinguished committee have been received by me, asking that the State of Oregon should be represented at such celebration.

The Governors of quite a number of the States have called the attention of the legislatures of such States in their messages and recommended that those States should be represented.

Such being the facts of the case, I felt it my duty to call your attention to the matter for such action as in your judgment will be advisable.

A copy of this communication has been transmitted to your co-ordinate branch.

SYLVESTER PENNOYER,  
Governor of Oregon.

Mr. Cogswell, on the subject matter contained in the foregoing message, introduced the following resolution :

SENATE JOINT RESOLUTION NO. 7.

WHEREAS, It is proposed to celebrate on the 30th of April, proximo, at the city of New York, the centennial anniversary of the inauguration of George Washington, the first President of the United States; and,

WHEREAS, It is desirable and proper that the State of Oregon should be represented in common with the other States at such celebration; therefore,

*Be it Resolved by the Legislative Assembly of the State of Oregon :*

That the Governor of the State of Oregon be and he is hereby appointed to represent this State, either in person or by proxy, at such celebration, and that all reasonable expenses incurred by him in carrying out the object of this resolution and in attending said celebration in person or by proxy be allowed and paid by the State.

Mr. Cogswell moved that senate joint resolution No. 7 be adopted.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Raley, Steel, Veatch, Wager, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Moore, Norval and Watts—3.

Absent—Messrs. Barin, Chamberlin, Sinclair, Stanley and Tongue—5.

So senate joint resolution No. 7 was adopted.

### MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 18, 1889. }

*To the Honorable, the Senate of the State of Oregon :*

The following appointments of members of the board of regents of the State agricultural college of the State of Oregon have been made this day:

J. W. Grimm of Aurora, Oregon.

Wallis Nash of Corvallis, Oregon.

F. N. Bailey of Hillsboro, Oregon.

I respectfully desire their confirmation.

SYLVESTER PENNOYER,  
Governor of Oregon.

Mr. Cauthorn moved that the senate proceed to confirm the foregoing appointments [by] separate vote.

Which motion prevailed.

The senate thereupon proceeded to vote on the confirmation on the appointment of Mr. J. W. Grimm.

The roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chamberlin and Tongue—3.

So the appointment of Mr. J. W. Grimm was declared duly confirmed.

The senate now voted on the confirmation of Wallis Nash.

The roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Dimick, Fullerton, Looney and Wait—4.

Absent—Messrs. Barin, Chamberlin and Tongue—3.

So the appointment of Wallis Nash was declared duly confirmed.

The senate now voted on the confirmation of F. A. Bailey.

The roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Norval and Tongue—4.

So the appointment of F. A. Bailey was declared duly confirmed.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 18, 1889.

*To the Honorable, the President of the Senate:*

I am directed by the Governor to inform you that he has approved and signed the following bills:

Senate bill No. 74, senate bill No. 38, senate bill No. 79, senate bill No. 169, and the same have been filed in the office of the Secretary of State.

The following bills have been filed in the office of the Secretary of State to become laws without the Governor's signature: House bill No. 93, house bill No. 91, house bill No. 46, senate bill No. 109, house bill No. 13, senate bill No. 85, house bill No. 30, house bill No. 43, senate bill No. 21, house bill No. 37.

WM. A. MUNLEY,  
Private Secretary.

#### MESSAGE FROM THE GOVERNOR

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 18, 1889.

*To the Honorable, the Senate of the State of Oregon:*

The following appointments of officers of the Oregon National Guard have been made:

On April 30, 1887, J. M. Siglin of Marshfield, Oregon, brigadier-general.

J. C. Shofner of Portland, Oregon, adjutant-general.

M. E. Freeman of Portland, Oregon, inspector-general.

J. T. Bowditch of Ashland, Oregon, judge-advocate general.

A. L. Saylor of Lexington, Oregon, surgeon-general.

Robert A. Miller of Jacksonville, Oregon, aid-de-camp.

J. H. Raley of Pendleton, Oregon, aid-de-camp.

Cecil R. Holcomb of Portland, Oregon, aid-de-camp.

And on June 23, 1888, R. W. Mitchell of Portland, Oregon, assistant adjutant-general.

I respectfully desire their confirmation.

SYLVESTER PENNOYER,  
Governor of Oregon.

Mr. Gray moved to confirm the appointments mentioned in the foregoing message by voting on them all together.

Which motion prevailed.

The question now being, "Shall the foregoing appointments be confirmed?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Stanley, Raley and Tongue—5.

So the appointments of military officers were declared confirmed.

On motion of Mr. Watts, the senate adjourned.

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### EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Chamberlin, Cogswell and Hatch.

By request, Mr. Barin was excused from further attendance this evening on account of illness.

House bill No. 199 coming on for the first reading, Mr. Carson moved that the rules be suspended and the bill be read the first time by title.



The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Cogswell, Hatch and Tongue—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Cogswell, Hatch and Sinclair—6.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

Mr. Carson moved that the rules be still further suspended and the bill be read the third time.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Cogswell, Hatch, Norval, Sinclair, Steel and Tongue—8.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Hatch, Sinclair and Steel—10.

So the bill passed.

Mr. Carson requested that the members of the committee on ways and means be excused from further attendance this evening to enable them to attend committee meeting.

Which request was granted.

House bill No. 157 coming on for the first reading, Mr. Raley moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Hatch, Sinclair, Steel and Tongue—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Raley moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Raley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Hatch, Norval, Sinclair, Stanley, Steel and Tongue—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Raley moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Hatch, Sinclair, Steel and Tongue—7.

So the rules were suspended and the bill read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Sinclair, Steel and Tongue—10.

So the bill passed.

House bill No. 126 coming on for the first reading, Mr. Dimick moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Hatch, Raley, Sinclair and Steel—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Dimick moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Sinclair, Stanley and Steel—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Dimick moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Sinclair and Steel—8.

So the rules were suspended and the bill was read the third time by title.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson and Steel—8.

So the bill passed.

Senate bill No. 135 coming on for the first reading, Mr. Eakin moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Sinclair, Stanley and Steel—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Hatch moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Stanley and Steel—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Hatch moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Sinclair, Stanley and Steel—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Hilton, Steel and Wager—10.

So the bill passed.

House bill No. 64 coming on for a first reading, Mr. Norval moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, and Steel—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Norval moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, and Steel—8.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

Mr. Norval moved that the rules be still further suspended and that the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Hilton, Mackay and Steel—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson and Wager—8.

So the bill passed.

House bill No. 85 coming on for a first reading, Mr. Watts moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Moore and Steel—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watts moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley,

Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson and Wager—8.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Watts moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dipick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson and Wager—8.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson and Fullerton—7.

So the bill passed.

House bill No. 132 coming on for its first reading, Mr. Gray moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson and Fullerton—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.



Mr. Veatch moved that the rules be further suspended and the bill read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Fullerton and Steel—8.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

Mr. Veatch moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Fullerton, Steel, and Wait—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, and Steel—8.

So the bill passed.

House bill No. 223 coming on for a first reading, Mr. Fullerton moved that the rules be suspended and the bill read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.



Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Mackay, Moore, and Steel—10.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Fullerton moved that the rules be further suspended and that the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Steel and Wager—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Fullerton moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell and Dawson—7.

So the rules were suspended and the bill was read the third time by title.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell and Dawson—7.

So the bill passed.

House bill No. 71 coming on for its first reading, Mr. Stanley moved that the rules be suspended and the bill be read the first time by title.

The roll being called the motion prevailed by the following vote:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Carson, Chamberlin, Chandler, Cogswell, Dawson and Hamilton—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Stanley moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson and Hamilton—8.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Stanley moved that the rules be still further suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Hamilton, Hatch and Wager—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Sinclair, Steel and Wager—10.

So the bill passed.

House bill No. 195 coming on for first reading, Mr. Watts moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Stanley, Steel and Wager—10.

So the rules were suspended and the bill read the first time by title and passed to a second reading without further question.

Mr. Mackay moved that the rules be further suspended and that the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Cogswell, Steel and Wager—6.

So the rules were suspended and the bill was read a second time by title and Mr. Dimick offered the following amendments:

Strike out the following portion of section 28, page 11, subdivision 1, to-wit: *provided*, that no deductions for indebtedness shall be made from any assessment upon any person or property for city purposes.

Also add after the word "Sellwood," in section 28, page 13, line 20, subdivision 5, *provided*, that no license shall be issued for the sale of spirituous, vinous or malt liquors for a less sum than that prescribed by the general laws of the State in force at the time of the issuance of the same.

Amend section 33, on page 25, by adding [to] line 12, "for ten days prior to the day assigned."

Amend section 39, on page 33, by striking out all of section 39 after the word "benefits" in the 16th line on said page.

On motion of Mr. Mackay, the bill with amendments was referred to a special committee consisting of the Senators from Multnomah and Clackamas counties.

House bill No. 5 coming on for a first reading, Mr. Stanley moved that the rules be suspended and the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote :

Those voting aye were :

Messrs. Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Cogswell, Irvine, Looney, Mackay and Norval—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Stanley moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Irvine, Steel and Tongue—6.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Stanley moved that the rules be still further suspended and the bill be read the third time now, and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Chandler, Cogswell, Gray, Hatch, Steel and Wager—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Dimick, Eakin, Gray, Hamilton, Hatch, Irvine, Looney,

Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Fullerton, Hilton and Wager—10.

So the bill passed.

On motion of Mr. Gray, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

TUESDAY, FEBRUARY 19, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Gray, Raley and Stanley.

On motion of Mr. Barin, the reading of the journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 23 with an amendment hereto attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House amendments accompanying the foregoing message were read and were in words and figures as follows:

Amend senate bill No. 23: At the end of line 17 of the second

"Whereas" strike out the word "therefore" and insert the following: "Whereas, there was charged to Union county as taxes on mortgages for the years 1884, 1885 and 1886 the sum of \$1,250.19 and which sum could not be collected by said county; therefore."

Also amend the bill in line 26 of section 1 by striking out "\$1,157.72" and inserting in lieu thereof "\$2,407.91."

On motion of Mr. Norval, the foregoing amendments were concurred in and the bill ordered enrolled.

On motion of Mr. Irvine, the courtesies of the senate were extended to Hon. L. H. Montanye of Albany, who was provided with a seat within the bar of the senate.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has [passed] house [senate] bill No. 70, to amend section 3 of an Act to incorporate the city of The Dalles.

And the same is herewith transmitted for [enrollment.]

J. T. GREGG,  
Chief Clerk.

Senate bill No. 70 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 206.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 206 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has

passed house bill No. 34, to regulate the practice of medicine and surgery in the State of Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 101, to amend section 3082, chapter XXII of miscellaneous laws of Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 20, to amend sections 3471 and 3480, chapter XLI, miscellaneous laws of Oregon, relating to the publication of the financial condition of counties.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 139.

And the same is herewith transmitted to you for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 139 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate joint resolution No. 7.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 7 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 15, to create the office of recorder in the county of Jackson.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 215, to amend section 4063 of the general laws of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 191, to regulate the recording of town and cemetery plats.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 165, to improve the State capitol grounds by purchasing additional grounds therefor.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 40, to confer certain powers upon benevolent and charitable corporations as to control of homeless, neglected and abused children.

Also house bill No. 112, to protect certain birds' nests.

And the same are herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 221, for the relief of Mrs. W. J. McPherson.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 218, to protect and promote the fishing industries of the State of Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 226, to incorporate the town of Oregon City.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 115 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted to you for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 115, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 17, providing for the appointment of a joint committee to report upon the communication of the Governor relative to the 100th anniversary of the inauguration of George Washington.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 17 accompanying the foregoing message was read, and on motion of Mr. Fullerton, was ordered laid on the table.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 16, relating to and fixing

the date for adjournment of the legislative assembly of the present session.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 16, accompanying the foregoing message, was read, and Mr. Chandler moved that the resolution be amended by striking out "at 12 o'clock M. Saturday the 23d inst.," and inserting in lieu thereof "at 10 o'clock P. M. on Friday the 22d inst."

Mr. Veatch moved to amend by making the hour of final adjournment Thursday evening at 12 o'clock midnight of the 21st inst.

Which motion was lost.

Mr. Tongue moved to amend by making it at 12 o'clock midnight of the 22d inst.

Which motion was lost.

Mr. Veatch moved to amend by making it 4 o'clock P. M. on the 22d inst.

Which motion was lost.

The vote now recurring on the amendment of Mr. Chandler to fix the hour of adjournment *sine die* at 10 o'clock P. M. Friday the 22d inst., the same prevailed, and it was so ordered.

Mr. Norval moved that the rules be suspended, and that the special committee having in charge senate bill No. 161 be granted leave to report now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Fullerton, Gray, Hilton, Irvine, Mackay, Moore, Norval, Raley, Steel, Tongue, Wait, and Mr. President—16.

Nays—Messrs. Carson, Chamberlin, Dimick, Eakin, Hamilton, Hatch, Looney, Sinclair, Stanley, Veatch, Wager, Watkins and Watts—13.

Absent—Mr. Cauthorn.

So the senate refused to suspend the rules and the motion was lost.

By unanimous consent, Mr. Fullerton, chairman of a special committee having in charge senate bill No. 202, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President:*

Your special committee, consisting of the Senators from Douglas, Jackson, Josephine, Coos and Curry, to whom was referred senate bill No. 202, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. C. FULLERTON,  
Chairman.

On motion of Mr. Fullerton, senate bill No. 202 was ordered considered engrossed for a third reading to-morrow.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 59 and 195, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 141 was read the third time.

The question now being, "Shall the bill pass?" Mr. Veatch moved that senate bill No. 141 be indefinitely postponed.

Which motion was lost.

The question now being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chamberlin, Cogswell, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins, and Mr. President—17.

Nays—Messrs. Carson, Dawson, Dimick, Eakin, Fullerton, Hamilton, Veatch, Wager and Watts—9.

Absent—Messrs. Cauthorn, Chandler, Stanley and Steel—4.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Wager, the courtesies of the senate were extended to Hon. C. M. Cartwright, and also, on motion of Mr. Watkins, to J. L. Stewart of The Dalles, both of whom were provided with seats within the bar of the senate.

At this time the President announced the appointment of Messrs. Watts and Dawson as a committee to approve the journals of this session pursuant to senate resolution No. 27.

Senate bill No. 64 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chamberlin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chandler, Dawson, Steel and Veatch—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 96 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chandler and Sinclair—3.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Senate bill No. 97 was read the third time.

By unanimous consent, it was ordered that sections 4, 5, 6, 7, 8, 9 and 10 be stricken out and section 11 was made section 4 and all of section 2 was stricken out after the word "property."

The question now being stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chandler, Raley, Sinclair and Watkins—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

At the request of Mr. Irvine, and by unanimous consent, the amendments to senate bill No. 61, reported heretofore by the committee on railroads, were read.

On motion of Mr. Steel, the said amendments to senate bill No. 61 were adopted.

On motion of Mr. Irvine, senate bill No. 61 was ordered engrossed for a third reading to-morrow.

Senate bill No. 121 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Hamilton, Mackay, Raley, Stanley, Steel, Wait, and Mr. President—11.

Nays—Messrs. Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Moore, Norval, Tongue, Veatch, Wager, Watkins and Watts—17.

Absent—Messrs. Chamberlin and Sinclair—2.

So the bill failed to pass.

Mr. Raley moved that the rules be suspended and the consideration of house bill No. 237 be made the special order for 2 o'clock this afternoon, and be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Steel, Veatch[?], Wager, Wait, Watkins[?], Watts, and Mr. President—23.

Nays—Messrs. Cauthorn, Chandler, Fullerton, Tongue and Veatch[?]-5.

Absent—Messrs. Sinclair and Stanley—2.

So the rules were suspended and the motion prevailed.

Mr. Watkins moved that the rules be suspended and the consideration of house bill No. 49 be made the special order for 2 o'clock to-morrow afternoon.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Gray, Hilton, Mackay, Moore, Norval, Raley, Steel, Wager, Wait and Watkins—12.

Nays—Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Hatch, Irvine, Looney, Tongue, Veatch, Watts, and Mr. President—14.

Absent—Messrs. Chamberlin, Hamilton, Sinclair and Stanley—4.  
So the senate refused to suspend the rules, and the motion was lost.

On motion of Mr. Watts, the senate adjourned.

### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Carson, Stanley and Wait.

By unanimous consent, the special committee having under consideration senate bill No. 161, submitted the following:

### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 15, 1889. }

*Mr. President :*

Your committee, consisting of the joint Senators from Union county, to whom was referred senate bill No. 161, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. W. NORVAL,  
J. H. RALEY.

Mr. Watts moved that the rules be suspended and the consideration of senate bill No. 161 be made the special order for 8 o'clock this evening.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Dawson, Fullerton, Gray, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Cogswell, Dimick, Eakin, Hamilton, Looney and Veatch—6.



Absent—Messrs. Cauthorn and Stanley—2.  
So the rules were suspended and the motion prevailed.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill 199.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 199 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill 166.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 166 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 53.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 53 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 126.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 126 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 56.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 56 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 3 with amendments thereto attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House amendments accompanying the foregoing message and bill were read as follows:

Amend section 20, line 1, by adding after the "county of Linn" the counties of Polk, Douglas and Union.

Also amend section 20 by striking out of the said section the word "Marion."

On motion of Mr. Cogswell, the foregoing amendments were concurred in and the bill ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 177.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 177 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 35.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 35 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 94, to amend section 2584, title III, chapter XVI, of the general laws of Oregon, as compiled and annotated by W. Lair Hill, relating to the duties of the State board of education.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate amendments to house concurrent resolution No. 16.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate amendments to house bill No. 199.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bill No. 195 and senate bill No. 59.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 195 and senate bill No. 59, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 108 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 108, and shortly afterwards stated that he had signed the same.

## SPECIAL ORDER.

The time having arrived under special order for the consideration of house bill No. 237, and the rules having been previously suspended to read the bill the first time by title, the same was so read and passed to a second reading without a question.

Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins and Watts—21.

Nays—Messrs. Barin, Steel, Tongue, and Mr. President—4.

Absent—Messrs. Carson, Chandler, Cogswell, Fullerton and Sinclair—5.

So the rules were suspended and the bill was read a second time by title, and Mr. Tongue moved to refer the bill to a committee of five hold-over Senators, of which Mr. Raley shall be chairman, with instructions to report at the next session.

Mr. Veatch moved that the rules be further suspended and the bill be now read the third time and placed upon its final passage.

The question now recurring on the motion of Mr. Tongue's to refer the bill, the same was lost.

Mr. Moore offered the following:

Mr. President, I move the following amendments to the printed bill:

In line 14, section 20, after the word "corporation," add the

words "manufacturing iron and steel, or working any iron, gold or silver mines or."

In line 15, section 20, after the word "its" insert the words "mines, mills, machinery."

In line 17 of section 20 after the word "passes," insert the words "or in which such corporations are manufacturing iron or steel, or working any iron, gold or silver mines."

A vote being taken on the adoption of the foregoing amendments, the motion prevailed and the amendments were ordered adopted.

Mr. Chandler offered the following:

Amend subdivision two of section five by adding the following: .  
And all county, school districts, and municipal bonds or credits.

Amend bill by striking out section six.

Mr. Chandler moved the adoption of the first amendment.

Which motion failed to prevail.

Mr. Chandler moved the adoption of his second amendment.

On which motion the ayes and nays were called for by Messrs. Veatch, Dimick and Wager.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Fullerton, Hamilton, Mackay, Stanley, Steel, Tongue, and Mr. President—11.

Nays—Messrs. Cauthorn, Chamberlin, Dawson, Dimick, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Moore, Norval, Raley, Sinclair, Veatch, Wager, Wait, Watkins, and Watts—19.

Absent—None.

So the senate refused to adopt said amendment, and the motion was lost.

Mr. Raley offered the following:

I move to strike out all of section 45 and insert the words: Section 45. Stocks of all incorporated banks shall be assessed in like manner as stocks of National banks are assessed, as hereinafter provided for.

On the foregoing motion the ayes and nays were called for by Messrs. Wager, Cogswell and Veatch.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Fullerton, Hamilton, Hatch, Raley, Sinclair, Stanley, Steel and Mr. President—12.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Gray, Hilton, Looney, Moore, Norval, Veatch, Wager, Wait, Watkins, and Watts—14.

Absent—Messrs. Barin, Irvine, Mackay, and Tongue—4.

So the senate failed to adopt said amendment, and the motion was lost.

Mr. Chandler moved that further consideration of house bill No. 227 be now postponed until to-morrow evening at 7:30 o'clock for consideration in the committee of the whole senate.

On this question the ayes and nays were called for by Messrs. Veatch, Dimick and Raley.

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Hamilton, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Tongue, and Mr. President—15.

Nays—Messrs. Chamberlin, Dawson, Dimick, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Veatch, Wager, Wait, Watkins and Watts—14.

Absent—Mr. Moore.

So the motion prevailed, and the further consideration was postponed until to-morrow evening.

#### MESSAGE FROM THE GOVERNOR

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 19, 1889. }

*To the Honorable, the Senate of the State of Oregon :*

I herewith return senate bill No. 75 with my dissent. This is a bill for an Act amendatory of the railroad commission law, which was approved February 18, 1887. The amendments proposed in the bill herewith returned, consist simply in the enlargement of the number of the commission, without providing for any enlargement of the powers. It provides, also, that the commission shall be elected by the legislative assembly, instead of being appointed by the Governor, and omits that clause of the law of 1887 which provides that the Governor may remove any commissioner for cause. The board consisting, under the law as it now stands, of two commissioners and a clerk, the compensation of whom amounted to \$7,500 per annum, had not really enough work to do, owing to the prescribed limitation of its powers, to keep one man in healthy, steady employment, and there is no reason why the taxpayers of Oregon should be burdened with the expenditure of \$2,500 more for the employment of another commissioner, who will really have nothing to do but to draw his salary quarterly, when but for this unaccountable benefaction of the legislature of Oregon he might be able to

earn an honest living on a farm or in a workshop. The omission from the bill under consideration of the granting of the power of removal by the Governor is an unwise omission. Under the existing law the Governor removed the two commissioners for the reason that after their attention had been called to the mandatory provision of the law, which required that in their biennial report to the legislative assembly, they should report "particularly what changes in the classification of freight, or what changes in the rates of freight or fares are advisable or necessary," they had failed to comply with such mandatory provision, and had made their report, in which they entirely disregarded that specific mandate of the law. Senate bill No. 75 strips the Governor of the power of removal, and leaves the commissioners free to follow the footsteps of their predecessors, "with the simple power to investigate, make recommendations, and report to the legislature" merely such tables in regard to the railroads as the previous law, approved February 26, 1885, had compelled the various railroads to file in the office of the Secretary of State, thus relieving the entire board and its clerk of all work except the onerous work of drawing their salaries quarterly and riding on free passes all over the State. There is another serious objection to the bill. Under our system of State government, it is the legislative prerogative to make the laws, and it is the executive function to enforce the laws. If, however, the legislature can, as is proposed in this bill, create a commission of its own appointment, to enforce the laws of its own enactment in regard to the railroads of this State, it can create commissions in regard to any and all other matters of State control, and thereby entirely rob, if it so chooses, both the executive and judicial branches of the State government of all their prescribed powers. This usurpation of power by one of the departments of the State government would lead to the practical subversion of our free institutions. Under the law as it now stands, with the powers of the commission defined as it has been by a decision of the supreme court of the State, one commissioner without any clerk would have been all that could possibly find employment, and this bill, which adds to the number of the commission without in the least enlarging its powers, is too much like offering a stone to the people of this State, who have been justly clamoring for bread. I veto the bill.

SYLVESTER PENNOYER,  
Governor.

The foregoing message was duly read.

Mr. Cogswell moved that 1,000 copies of the foregoing message be printed and the consideration of the veto message be made the special order for 10 o'clock to-morrow morning.



Which motion was lost.

Mr. Steel moved a call of the senate.

The roll being called, all the Senators were present except Mr. Dawson, who appeared within the bar of the senate.

On motion of Mr. Carson, the further call of the senate was dispensed with.

The veto of the Governor to senate bill No. 75 coming on for consideration, and the question being, "Shall the bill pass notwithstanding the objections and veto of the Governor?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chamberlin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—22.

Nays—Messrs. Cauthorn, Cogswell, Hamilton, Irvine, Raley, Veatch, Wager and Watts—8.

Absent—None.

So it was ordered that senate bill No. 75 had passed notwithstanding the objections and veto of the Governor.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 139, 206, 23 and 116, and senate joint resolution No. 7, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Wager moved that 1,000 copies of the Governor's veto message to senate bill No. 75 be ordered printed.

Mr. Watts moved to amend the motion by adding, for political purposes.

Which amendment Mr. Wager accepted as part of the original motion.

On the passage of the foregoing motion, the ayes and nays were called for by Messrs. Wager, Veatch and Irvine.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Hamilton, Irvine, Raley, Veatch and Wager—7.

Nays—Messrs. Barin, Chamberlin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—22.

Absent—Mr. Carson.

So the motion failed to prevail.

The President announced that he was about to sign senate bill No. 75 as having passed over the Governor's veto, and shortly afterwards stated that he had signed the same.

Mr. Gray introduced senate joint resolution No. 8 as follows:

#### SENATE JOINT RESOLUTION NO. 8.

WHEREAS, The people of the State are demanding the passage of some amendments to the assessment laws of this State; and,

WHEREAS, The time of this session in which to fully consider this important subject is entirely too short; therefore, be it

*Resolved by the Senate, the House concurring:*

That the joint committee on assessments and taxation of the senate and house are hereby instructed to prepare and present five amendments to the existing law, and they have leave to report at any time.

J. H. D. GRAY.

Mr. Gray moved that senate joint resolution No. 8 be adopted.

Mr. Watts moved that senate joint resolution be laid on the table.

Which motion prevailed.

Communication from the Superintendent of Public Instruction:

#### COMMUNICATION.

SALEM, Oregon, }  
February 19, 1889. }

*To the Honorable the President of the Senate:*

At a meeting of the State board of education, held this day, the following gentlemen were appointed as a State committee to take charge of and organize an effort to secure an attendance of teachers from this State and the proper and necessary interest in the National educational association, to be held at Nashville, Tennessee, July 16, 17, 18 and 19, 1889:

President J. W. Johnson, State university, Eugene City, Oregon.

President B. L. Arnold, State agricultural college, Corvallis, Oregon.

President Thomas Van Scoy, Willamette university, Salem, Oregon.

President D. T. Stanley, normal school, Monmouth, Oregon.

President J. F. Ellis, Pacific university, Forest Grove, Oregon.

Superintendent C. H. Whitney, Baker City, Baker county, Oregon.

D. W. Jarvis, principal public schools, Centerville, Umatilla county, Oregon.

I. W. Pratt, principal Harrison-street school, Portland, Oregon.

J. B. Horner, principal public schools, Roseburg, Oregon.

Frank Rigler, principal public schools, Oregon City, Oregon.

In view of the importance of this National convention of teachers to this State and to all the States and Territories of the Union, the State board of education would recommend that the present legislature pass a joint resolution recommending to the ways and means committee that they include in the general appropriation bill the sum of \$500 for the purpose of having this State properly represented at the above association.

E. B. McELROY,  
State Supt. Public Instruction, and *ex-officio* Secretary State Board of Education.

Mr. Cauthorn introduced the following resolution :

#### SENATE JOINT RESOLUTION NO. 9.

WHEREAS, The National teachers' educational association for the United States will be held at Nashville, Tennessee, July 16, 17, 18, and 19, 1889; and,

WHEREAS, In view of the great educational importance of this association to the public-school system of the Southern States and to all the States and Territories in the Union, and in compliance with a request from the officers of the National educational association, the State board of education has appointed a State committee consisting of leading educators in this State, representing our universities, colleges, public schools and academies in Oregon, whose duty it shall be to make an organized effort to secure the attendance of teachers and others from this State, and to supervise the preparation and forwarding of educational exhibits, etc., so that our State may be properly represented at this National convention of teachers, and in order that such representation may be fittingly made and secured; therefore, be it

*Resolved by the Senate, the House concurring:*

That the ways and means committee of the senate and the house of representatives are hereby recommended and directed to include in the general appropriation bill the sum of five hundred dollars (\$500) for the purpose of having this State properly represented at the above association and that the said amount be expended under the direction of the State board of education in securing headquarters for the Oregon delegation at Nashville, and in preparing, forwarding and placing the Oregon educational exhibit in the National exposition.

Mr. Cauthorn moved that senate joint resolution No. 9 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Hatch, Hilton, Mackay, Moore, Norval, Sinclair, Stanley, Steel, and Mr. President—13.

Nays—Messrs. Dimick, Eakin, Gray, Hamilton, Irvine, Looney, Raley, Tongue, Veatch, Wager, Wait, Watkins and Watts—13.

Absent—Messrs. Barin, Carson, Dawson and Fullerton—4.

So the senate refused to adopt senate joint resolution No. 9.

Mr. Wager moved that when the senate adjourns it adjourn to meet this evening at 7:30 o'clock.

Mr. Cauthorn moved to amend by adding "for the purpose of considering educational bills."

Mr. Tongue moved to amend Mr. Cauthorn's amendment by inserting instead of "educational bills," the words "corporation, local and educational bills and the special order of the evening."

Which motion prevailed.

The vote now recurring on Mr. Cauthorn's amendment as amended, the motion prevailed.

The vote being taken on Mr. Wager's motion as amended, the same prevailed.

Mr. Dawson, chairman of the committee on engrossed bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President:*

Your committee on engrossed bills, to whom was referred senate bill No. 61, beg leave to report the bill correctly engrossed.

S. A. DAWSON,  
Chairman.

By unanimous consent, Mr. Watkins introduced senate bill No. 208, being a bill for an Act to fix the terms of the circuit court for the seventh judicial district.

Mr. Watkins moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cauthorn, Chamberlin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Dawson, Veatch and Wager—5.

So the rules were suspended and the bill read the first time by title and passed to a second reading without question.

Mr. Watkins moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Gray, Looney, Stanley, Veatch and Wager—9.

So the rules were suspended and the bill was read a second time by title and passed to the third reading without a question.

Mr. Watkins moved that the rules be still further suspended and the bill be read the third time, and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Fullerton and Looney—4.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Dawson, Dimick, Eakin,

Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Cogswell, Looney, Sinclair, Stanley and Wager—7.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

By unanimous consent, Mr. Tongue, chairman of the special committee appointed under senate resolution No. 16, submitted the following :

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February, 1889. }

*Mr. President:*

Your committee appointed under senate resolution No. 16, to inquire into and report to the senate what necessity existed for the changes in the common school text-books lately made in this State, the expense attendant upon such changes, and the means by which such changes were brought about, have had said matters under consideration, and beg to report concerning the same as follows:

In the course of our investigations we have examined into the history of the series of text-books used in the common schools of the State, have corresponded with all the county superintendents of the State, and have obtained the opinions of prominent educators, teachers and school officers, upon the subjects under consideration.

We find that by the late vote of the county superintendents the entire series of school text-books at present in use has been re-adopted for a further term of four years from the first of October, 1889, excepting that the "New National Series" of readers is substituted for the "Independent Series;" Fish's written arithmetics are substituted for Brooks' series of written arithmetics; Robinson's algebra, geometry and trigonometry are substituted for Brooks' algebra, geometry and trigonometry, and Bryant & Stratton's book-keeping is substituted for Lyte's book-keeping.

#### NECESSITY FOR THE CHANGES MADE.

We find that the readers now in use have been in use for about ten years, and the demand for a change was almost universal.

The "New National" readers are among the latest and best

readers published, are of recognized merit as educational books; contain improved type, are well bound, of good material, and well illustrated.

The new readers are exchanged free for the old, so that the change costs nothing. Newer, fresher and better books are obtained.

New books are received in exchange for the old, and your committee are of the opinion that the change is a great public benefit and a saving to the people.

#### CHANGE IN ARITHMETIC.

Brooks' series of written arithmetics had been in use eight years, and a desire for a change seems to have been very general. It seems to have been generally claimed that many of the problems are too difficult for the pupils who use the books, and the gradation and arrangement is not suitable for use in ordinary schools.

Fish's written arithmetics, consisting of two books, Fish's No. 1 and Fish's No. 2, are, by the present vote of the county superintendents, adopted instead. These arithmetics are said, by teachers and educators, and persons who have had opportunities of being informed on the subject, to be practical and suitable books for common school use, and to be excellent arithmetics.

Fish's arithmetics are in use, as your committee are informed, in Nevada, Colorado, Washington Territory, Montana, Idaho, and in portions of California, as supplemental to the State series.

The retail price of Brooks' arithmetics displaced are as follows:

Brooks' primary, 25 cents.

Brooks' elementary, 45 cents.

Brooks' written, 90 cents, making the set cost \$1.60.

The exchange prices of the new arithmetics are as follows: Fish's No. 1, 15 cents; Fish's No. 2, 30 cents, and old books of a lower grade may be exchanged for the new books of a higher grade.

This exchange of lower grade old books for higher grade new books is an important item, as it enables the pupils to use a large number of primary books which they had finished and would have had to throw aside had the Brooks' remained in use.

The introductory prices of the Fish's are as follows: Fish's No. 1, 30 cents; Fish's No. 2, 60 cents.

The exchange and introductory prices are not limited as to time, but are to continue until all the schools are supplied with books.

The retail prices afterward are as follows: Fish's No. 1, 35 cents; Fish's No. 2, 75 cents; making the set cost \$1.10, or 50 cents less than the set of Brooks'.



We have secured all the information possible, and made careful estimates as to whether or not the change in written arithmetics will entail any serious expense.

We find that the first expense will not be large, while in the end it will save considerable expenditure.

The changes made in algebra and geometry and trigonometry affect but few people and seem to be satisfactory to those using them.

Your committee has not considered the change in these books of sufficient general interest to warrant a special examination.

From all the evidence obtained by your committee, we are led to conclude and believe that in making the changes in school books, the several county superintendents acted carefully, conscientiously and in accordance with their best judgment, and we incline to the opinion that the changes will be satisfactory to the public.

There is one matter connected with the change to which we desire to call the attention of the legislature.

Publishers of the various school books, seem to have been fully informed quite early of the contemplated change.

There was active competition among a considerable number of these to secure the adoption of their respective books for use in the State.

The State Superintendent of Public Instruction, in pursuance of a resolution adopted by the State board of education, sent a written notice about the first of September, 1888, to all of the known publishers of school books in the United States, about 112 in number, notifying such publishers of the approaching vote of the county superintendents for the selection of a series of text-books to be used in the common schools of this State, and inviting the publishers to submit to the State board and to the county superintendents proposals and prices at which they would furnish books and samples of their books for examination.

We find that forty-one different publishing houses, in response to this notice, filed bids and proposals and submitted prices, and that nearly all of them also furnished the county superintendents with sets of their books for examination.

The county superintendents were thus placed in possession of samples of a very large number of school books and the prices of the same, and had ample opportunity to compare the books and judge of their relative merits and excellence.

The several superintendents were thus placed in possession of all facts necessary to form a correct judgment. Had the exertion of rival publishers ceased at this, public suspicion would not have been aroused. But long before any circular was sent them, and many



months before the time of voting, quite a number of active, persistent agents were sent out to make a personal, vigorous canvass with the various county superintendents. They visited almost every one of the officials even in the most remote part of the State. Their efforts were a source of much annoyance to the superintendents, and aroused widespread distrust in the public mind. We attribute to this cause the public feeling that has made this investigation necessary.

Your committee would recommend that before another change in school books is voted upon the law should be amended so as to require that all communication of publishers, or their agents, with the county superintendents in reference to such changes should be in writing, and that such communications should be sent to the State board of education with the votes of the superintendents. That all other communication by publishers, or their agents, or any one directly or indirectly interested in their interest, with the superintendents in reference to such changes should be prohibited; and that the bid of any publisher disregarding such provision should be rejected.

Your committee would further recommend that the State board of education, before any change goes into effect, should be empowered to require from all the publishers of all school books adopted a written contract or undertaking, with proper security, that the prices named by such publishers, both wholesale and retail, be not increased during the period such books remain in use; and that any school district of the State desiring to purchase books for the patrons of its school shall be permitted to purchase such books from such publishers at the wholesale prices.

Your committee would venture to suggest that the list of textbooks prescribed by the State board of education is quite extensive, and induces, as we believe, a tendency on the part of school teachers to unduly hasten their pupils over all the books of the list.

Your committee is of the opinion that to study a few books well is preferable to lightly skimming over a large number of books.

THOS. H. TONGUE,  
Chairman.

T. E. CAUTHORN,  
G. A. STEEL.

On motion of Mr. Tongue, the foregoing report was ordered printed for the use of the senate.

On motion of Mr. Mackay, the senate adjourned.

## EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Carson, Chamberlin, Chandler, Stanley, Steel and Tongue.

By special request, Mr. Hatch was excused from further attendance this evening.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has [passed] senate bill No. 191.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 191 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 171, to authorize school district No. 35, Multnomah county, Oregon, to appropriate \$500 for a school house.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill

No. 194 has been reported as correctly enrolled, [and] that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 194, and shortly afterwards stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 48, to authorize and empower the Tolo Dam Site and Milling Co. to erect booms.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 23, senate bill No. 116, senate bill No. 139, senate bill No. 206, and senate joint resolution No. 7.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate joint resolution No. 7, senate bill No. 23, senate bill No. 116, senate bill No. 139, and senate bill No. 206, and shortly afterwards stated that he had signed the same.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 70, 53, 5, 56 and 126, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

House bill No. 206 coming on for the first reading, Mr. Barin moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Hatch, Raley, Sinclair, and Stanley—6.

So the rules were suspended and the bill read the first time by title and passed to a second reading without a question.

Mr. Barin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Chandler, Gray, Hatch, Raley, Sinclair, Stanley and Wager—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Barin moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dawson, Dimick, Eakin, Fullerton,

Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Gray, Hatch, Raley, Sinclair, Stanley and Wager—10.

So the rules were further suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Hatch, Raley, Sinclair and Wager—8.

So the bill was passed.

By unanimous consent, Mr. Barin, on behalf of the special committee to whom was referred house bill No. 195, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President:*

Your special committee, to whom was referred senate bill No. 195, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass with the following amendments:

#### FIRST AMENDMENT.

Move to strike out the following portion of section 28, page 11, subdivision 1, to-wit: "*provided*, no deductions for indebtedness shall be made from any assessment upon any person or property for city purposes."

#### SECOND AMENDMENT.

Also add after the word "Sellwood" in section 28, page 13, line 20, subdivision 5: "*provided*, that no license shall be issued for the sale of spirituous, vinous or malt liquors for a less sum than that prescribed by the general laws of the State in force at the time of the issuance of the same."

## THIRD AMENDMENT.

Amend section 33, on page 25, by adding to line 12 "for ten days prior to the day assigned."

## FOURTH AMENDMENT.

Amend section 39, on page 33, by striking out all of section 39 after the word "benefits" in the sixteenth line on said page.

J. C. CARSON,  
Chairman.

On motion of Mr. Barin, the amendments were adopted.

Mr. Carson moved that the rules be suspended and that house bill No. 195 be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Hatch, Raley, Sinclair, Stanley and Wager—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chandler, Chamberlin, Dimick, Gray, Hatch, Raley and Sinclair—10.

So the bill was declared passed.

House bill No. 173 coming on for a first reading, Mr. Steel moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Gray, Hatch, Mackay, Raley, and Sinclair—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 173 coming on for a second reading, Mr. Barin moved that the rules be further suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Hatch, Sinclair, Steel and Tongue—10.

So the rules were suspended and the bill was read a second time by title, and Mr. Barin moved that the rules be still further suspended and house bill No. 173 be made a special order for to-morrow evening at 7:30 o'clock.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Hatch, Hilton, and Sinclair—8.

So the rules were declared suspended and house bill No. 173 was made a special order for to-morrow evening at 7:30 o'clock.

The time having arrived for the consideration of senate bill No. 161, under special order, it was read the third time.

The question being, "Shall the bill pass?" Mr. Watts moved a call of the senate.

The roll was called.

All the Senators were present except Messrs. Cauthorn, Chamberlin, Hamilton, Hatch, and Sinclair.

The Sergeant-at-Arms was instructed to notify absent Senators.

Mr. Chandler appeared.

Mr. Cogswell moved that further proceedings under the call be dispensed with.

Which motion was lost.

Shortly afterwards, Mr. Cogswell moved that further consideration under the call be dispensed with.

Which motion was lost.

Shortly afterwards, Mr. Veatch moved that further proceedings under the call of the senate be dispensed with.

Which motion prevailed.

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Fullerton, Gray, Hilton, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—18.

Nays—Messrs. Dimick, Eakin, Irvine, Looney, Veatch and Wager—6.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Hamilton, Hatch and Sinclair—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

At Mr. Cogswell's request, and by unanimous consent, the senate proceeded to the consideration of house bill No. 72.

House bill No. 72 coming on for its first reading, Mr. Cogswell moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Hatch, Sinclair and Stanley—8.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Cogswell moved that the rules be further suspended and that the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Hatch, Sinclair, Stanley and Wager—10.

So the rules were suspended and the bill read a second time by title, and Mr. Fullerton moved to amend house bill No. 72 as follows:



Strike out in printed bill in line 13 of section 1 the word "eight" and insert in lieu thereof the word "nine," making said line read: Douglas county, "nine hundred dollars."

Which motion prevailed, and the bill was so amended.

Mr. Cogswell moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Hatch, Mackay, Sinclair and Steel—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Hatch, Stanley and Veatch—8.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 203, for the relief of Wasco county.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 203, accompanying the foregoing message, coming on for its first reading, Mr. Watkins moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Fullerton, Gray, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Hamilton, Hatch and Sinclair—9.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Watkins moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Veatch, Wait, Watkins, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Hamilton, Hatch, Sinclair, Tongue, Wager, and Watts—10.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 90.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 90 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has senate bill No. 135.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 135 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 206, to grant to the Salem, Tillamook and Astoria Railway Company power to build and operate a bridge.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 205, for the relief of J. M. Dinsmore.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bills Nos. 126 and 157 have been reported correctly enrolled and that he has signed them.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 126 and house bill No. 157, and shortly afterwards stated that he had signed the same.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 5, 126, 53, 70 and 56.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bills Nos. 56, 70, 126, 5 and 53, and shortly afterwards stated that he had signed the same.

By unanimous consent, Mr. Norval, chairman of the committee on counties, was granted leave to report on house bill No. 69, and submitted the following:

#### REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 10, 1889. }

*Mr. President :*

Your committee on counties, to whom was referred house bill No. 69, recommend that it be amended as follows:

Strike out all of line 1, section 3, of the printed bill, up to and including the word "locate" and insert the following in lieu thereof: "The town of Harney, situated and being in the southeast quarter of the southeast quarter of section 24, township 22 south, range 32 east, shall be,"

Beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the above amendment.

J. W. NORVAL,  
Chairman.

On motion of Mr. Norval, the foregoing amendment was adopted.

Mr. Norval moved that the rules be suspended and house bill No. 69 be read the third time and placed upon its final passage now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Gray, Hatch, Sinclair and Wager—10.

So the rules were suspended and the bill passed to a third reading.

Mr. Hamilton moved that the vote by which the rules were suspended and house bill No. 69 passed to the third reading, now be reconsidered.

Which motion prevailed.

Mr. Hamilton submitted the following amendment to house bill No. 69:

Strike [out] all of section one after the words "running thence east on said township line" and insert in lieu thereof the following: "township line between townships 32 and 33 east; thence north on said township line to the northwest corner of township 18 south of range 33 east; thence east to the southeast corner of section 33 in township 17 south of range 33 east; thence north on section line to the township line between townships 16 and 17 south; thence east to the southeast corner of township 16 south of range 33 east; thence north six miles to the third standard parallel; thence east to the northeast corner of township 16 south of range 34 east, and thence northerly to the southwest corner of Baker county."

Mr. Hamilton moved that the amendment be adopted.

Pending this motion, Mr. Cogswell moved that the rules be suspended and further consideration of this bill be made a special order to-morrow at 3:30 o'clock P. M.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dawson, Dimick, Gray, Hamilton, Raley, Wager, Watkins, and Mr. President—10.

Nays—Messrs. Barin, Eakin, Fullerton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Tongue, Veatch, Wait, and Watts—13.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Hatch, Sinclair, Stanley, and Steel—7.

So the senate refused to suspend the rules, and the motion was lost.

On motion of Mr. Wager, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

WEDNESDAY, FEBRUARY 20, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chamberlin and Hatch.

On motion of Mr. Fullerton, the reading of the journal of yesterday was dispensed with.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 141.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 141 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bills Nos.

64 and 5 have been reported as correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 5 and house bill No. 64, and shortly afterwards stated that he had signed the same.

By unanimous consent, Mr. Fullerton, chairman of the joint special committee to examine into the affairs of the board of State land commissioners, under senate concurrent resolution No. 4, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

Your committee appointed under senate concurrent resolution No. 4, to examine the books and accounts of the board of commissioners for the sale of school and university lands, have completed our labor and beg leave to report as follows:

We have, with the assistance of competent accountants, pursued our investigation in as thorough a manner as the time at our disposal would permit. The accounts for lands sold have been carefully compared with the entries in the cash books and with the endorsements on the notes given for deferred payments; that we have carefully examined the records of certificates of land sales, the State Treasurer's receipts from February 2, 1887, to December 31, 1888; that we find the said papers and records neatly kept and systematically arranged; that the clerical work of said office is exceedingly well performed, and we find that the system of accounts and the general manner of conducting the business of the office to be plain, complete and comprehensive.

To properly investigate said office it would require a much longer time than at our disposal, as the interest paid on each note should be computed.

That the number of acres which have been approved to the State by the general land office, the different grants of congress to the State of Oregon, the number of acres disposed of by the State and the amount received therefor, should be correctly ascertained. If a thorough investigation of said office be made from February 1, 1880, to December 31, 1888, then at the convening of the Oregon legisla-

ture in the future it would not be difficult to properly investigate said office during each session thereof.

We recommend that section 3 of an Act for the selection and sale of State lands remaining unsold be amended to read as follows :

When any such application is filed for the purchase of land, to be selected in lieu of the 16th and 36th sections or to compensate for deficiency of school land in fractional townships, the clerk of the board of school land commissioners shall furnish the deficiency for the selection of the tract contained in the application, and the land commissioners shall thereupon select the said land in the proper land office in the manner prescribed by the laws of the United States; and when said selection shall be accepted by the register of any land office, the clerk of the board of school land commissioners shall notify the said applicant to pay the purchase price of said land within sixty days from the date of such notice, in the manner and on the terms now provided by law; and if said applicant shall fail to make such payment as aforesaid, the land shall be subject to the claim of the next legal applicant.

The said section 3 now in force compels the applicant to furnish the deficiency in the 16th and 36th sections to be used for a basis for the selection of indemnity school land, and, therefore, instead of being for the benefit of the people of the State of Oregon, as the law makers intended, the said section 3 favors those who understand looking up the deficiency in the 16th and 36th sections in townships where lieu lands have not been taken, for a very few applicants understand the manner of looking up the deficiency in the 16th and 36th sections, thus the basis for the selection of indemnity school land may be controlled by those who have knowledge of the deficiency in the 16th and 36th sections to the exclusion of applicants who have not this information, hence the injustice of said section 3 is clearly apparent.

We further recommend that the price of school land be increased to two dollars per acre.

Respectfully submitted,

J. C. FULLERTON,  
Chairman.

A. C. STANLEY,  
CHAS. GOODNOUGH,  
S. P. MOSS,  
J. E. BLUNDELL,  
Committee.

On motion of Mr. Fullerton, the foregoing report was ordered printed.



Mr. Steel, chairman of the joint special committee to examine into the conditions and affairs of the State Treasurer's office, in pursuance of house concurrent resolution No. 1, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President:*

Your committee appointed under house concurrent resolution No. 1 to examine the books and accounts of the State Treasurer's office having performed the duty entrusted to it, begs to report as follows:

By such personal investigation as our other legislative duties gave us time to bestow on the subject, assisted by competent accountants, we have found the following facts:

1. We have examined all the items of money received during the past two fiscal years and compared the statement of such items contained in the Treasurer's report with the duplicate receipts given by him and filed with the Secretary of State, and find the same to agree in all points, and that the totals are correct.

2. We have given a similar examination to the disbursements, and find all moneys have been paid out on warrants issued by the Secretary of State as provided by law, and that the said payments are all correctly stated in the report and charged to the proper funds. By an examination in detail of every note and mortgage in the common school fund, university fund, and agricultural college fund, we have found them all correctly reported except that the note and mortgage of H. E. Cross for \$3,000 reported charged to the common school fund should be charged to the agricultural college fund. The Treasurer has made the proper transfer on his books which diminishes the balance reported to be in the agricultural fund \$3,000 and increases the balance in the common school fund to a corresponding amount.

3. We have examined and counted the securities deposited by various foreign insurance and express companies, and find that they conform to the requirements of the law, and agree in amounts with the report of the Treasurer. We examined the various books of the department, and find the balances reported by the Treasurer to be correct, and correspond with his biennial report.

4. By personal inspection and from the report of the accountants employed, we find that the business of this department has

been growing enormously in the past two years, and that it will be impossible in the future for the Treasurer with the clerical force now allowed by law to keep the accounts and the records of this office in a business-like way, and as they ought to be kept.

As an indication of this increased volume of business, the common school fund, which two years ago was \$518,617.64, in 357 notes, is now by reason of land sales, increased to \$1,428,071.14, in 1130 notes and mortgages. The management of this fund by rule of the board now devolves on the Treasurer, and this and the general increase of the business of the State requires more clerical aid, and we recommend the same.

All of which is respectfully submitted.

G. A. STEEL,  
C. A. COGSWELL,  
R. P. EARHART,  
H. J. BEAN,  
R. C. MILLER.

On motion of Mr. Eakin, the foregoing report was adopted and ordered printed.

Mr. Sinclair, chairman of the committee to visit and examine into the condition and affairs of the Oregon school for the blind, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1889. }

*Mr. President:*

In compliance with the requirements of house joint concurrent resolution No. 15, your committee, accompanied by a like committee appointed by the house to visit the Oregon school for the blind, have performed that duty and beg leave to submit the following report:

We find that the premises are neatly kept, and that while the surroundings are quite humble and home-like, the school under the management of the present superintendent is in all respects creditable to the State, and that the generous provisions made for this most unfortunate class of our fellow citizens, have been faithfully applied in promoting the health, comfort and happiness of the pupils. Too much cannot be said in commendation of both officers and teachers who are charged with the difficult task of instructing those who are deprived of one of the principal aids in obtaining knowledge, to become self-reliant, and stimulating in them a desire

for industrial pursuits. Your committee are of the opinion that to unite the deaf mute and blind schools under one management would be a serious obstacle in the way of inducing parents to allow their unfortunate loved ones to accept the benefits now offered by the broad philanthropy of a generous public; and while it may appear to some that the appropriation for the support of the few now in attendance at the school for the blind is a heavy burden, have we not reason rather to rejoice that the inestimable blessing of the light of day has been denied to so few of our fellow creatures? When we come to compare the cost per pupil in the Oregon school for the blind with like costs in schools for the blind in some of our sister States, we find that the same is not in excess of the average of the costs in other schools, as follows: In the Alabama school for the blind, the cost per pupil is \$266.66 $\frac{2}{3}$ ; in Louisiana it is \$375 per pupil; in Minnesota it is \$238 per pupil, while in our own State it is about \$333.33 per pupil, showing conclusively that the average cost in our school is but very little above the average cost of pupils in the blind schools of other States. This showing is the more encouraging when we come to reflect that the facilities for the education of the blind in other States are far superior to those possessed by the school in this State. We would therefore recommend that the annual appropriation of \$4,000 for the two years beginning January, 1889, as asked for by the honorable the State board of education, for salaries of officers and teachers and the general expenses of the school, be appropriated, and that the further sum of \$1,000 for needed improvements, repairs, and furnishing apparatus for industrial purposes. Total amount of appropriation recommended \$9,000.

In concluding this report your committee wish to state that they have inquired into and thoroughly investigated all charges against the management of the Oregon school for the blind, and are fully satisfied that there is no foundation for any of the complaints brought to their knowledge.

All of which is most respectfully submitted.

(Signed.)

W. SINCLAIR,  
T. E. CAUTHORN,  
Senate Joint Committee.

On motion of Mr. Veatch, the foregoing report was adopted.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 191, 35, 199 and 177, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 19, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 204, for the relief of John Stapleton.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

At this time the senate resumed the consideration of house bill No. 69.

After some discussion on the motion of the adoption of Mr. Hamilton's amendment, Mr. Fullerton moved the previous question, seconded by Mr. Watts.

Whereupon the President stated, "Shall the main question be now put?"

The same was sustained by a majority of the Senators.

The main question being now put on the adoption of Mr. Hamilton's amendment, the senate refused to adopt the same.

Mr. Watts moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell and Stanley—3.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Moore moved the previous question, seconded by Mr. Dimick.

Whereupon the President stated, "Shall the main question be now put?"

The same was sustained by a majority of the Senators.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Stanley, Steel and Tongue—4.

So the bill passed.

Mr. Raley moved that the vote by which senate joint resolution No. 9 failed to be adopted be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Tongue, Wait, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Veatch and Wager—2.

Absent—Messrs. Chamberlin, Dawson, Norval, Sinclair, Stanley and Steel—6.

So the motion prevailed.

The question now recurring on the adoption of senate joint resolution No. 9, the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Steel, Tongue, Wait, Watkins and Mr. President—22.

Nays—Messrs. Irvine, Veatch and Wager—3.

Absent—Messrs. Chamberlin, Dawson, Sinclair, Stanley and Watts—5.

So senate joint resolution No. 9 was ordered adopted.

By unanimous consent, Mr. Dimick, chairman of the committee on military affairs, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 14, 1889. }

*Mr. President:*

Your committee on military affairs, to whom was referred house bill No. 102, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

J. B. DIMICK,  
Chairman.

On motion of Mr. Dimick, house bill No. 102 was ordered to a third reading to-morrow.

Senate bill No. 123 was read the third time.

Mr. Tongue moved that the further consideration of the bill be postponed and made the special order for 7:30 o'clock this evening.

Which motion prevailed and it was so ordered.

Senate bill No. 125 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Sinclair and Steel—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 128 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Wait, Watkins, Watts, and Mr. President—23.

Nays—Mr. Veatch.

Absent—Messrs. Barin, Carson, Chamberlin, Sinclair, Steel and Wager—6.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 133 coming on for its third reading, Mr. Wager, by unanimous consent, offered the following amendment:

I move to amend senate bill No. 133 by adding a section to be section 3 as follows:

"Section 3. Said Oregon and Washington Territory Railroad Company may appropriate and take for their use so much land of private persons along the line of its road as may be necessary for constructing and operating said road, not exceeding fifty feet in width on each side of the center line thereof, and a sufficient amount of land adjacent for side-tracks, depots, and water stations, and for the proper construction and security and convenient operation of its road; said company first making sufficient compensation therefor in the manner provided by law."

A vote being taken on the adoption of the foregoing amendment, the same was adopted.

Senate bill No. 133 as amended was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—Mr. Veatch.

Absent—Messrs. Chamberlin and Gray—2.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 142 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Fullerton, Gray, Hilton, Looney, Mackay, Moore, Norval, Stanley and Wait—12.

Nays—Messrs. Cauthorn, Dimick, Eakin, Hamilton, Hatch, Raley, Tongue, Veatch, Wager, Watkins and Watts—11.

Absent—Messrs. Carson, Chamberlin, Dawson, Irvine, Sinclair, Steel and Mr. President—7.

So the bill failed to pass.

Mr. Tongue gave notice that he would within the necessary time move to reconsider the vote by which senate bill No. 142 failed to pass.

On motion of Mr. Gray, it was ordered that the further consideration of senate bill No. 170 be indefinitely postponed.

By unanimous consent, Mr. Hatch, chairman of the joint special



committee to visit and examine into the condition and workings of the Orphans' home at Salem and Portland, pursuant to senate concurrent resolution No. 9, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1889. }

*Mr. President:*

Your special committee appointed to visit and examine into the conditions, surroundings and workings of the Orphans' home at Salem, in company with a like committee appointed by the house for the same purpose; have visited said home, and beg leave to make the following report:

That we visited the Orphans' home at Salem and found sixteen children in attendance.

That the Ladies' relief society at Salem, with an appropriation of two thousand dollars on the part of the State, have constructed a neat and comfortable house for the home at the cost of eleven thousand dollars (\$11,000), and whereas your committee recommend that the State appropriate one thousand three hundred and sixty dollars to pay the balance due on said house for said home, and that it will require one thousand dollars (\$1,000) more to make the necessary improvements, and your committee recommends that the State appropriate said amount of one thousand dollars (\$1,000) for said improvement for the home.

That we cannot express too much gratitude to the matrons and ladies in charge of the home; and whereas your committee recommends the State to appropriate two thousand dollars (\$2,000) for the matrons and help at the home; and whereas we find about fifteen acres of land at the home, and we recommend that a suitable man be employed to cultivate the lands to the best advantage for the home, and to attend to any other necessary work about the home; and whereas your committee recommends that the State appropriate six hundred dollars (\$600) for said services, and we further recommend that the State appropriate twelve hundred dollars (\$1,200) for the general expenses of the home. And your committee would most respectfully submit the following report:

E. T. HATCH,  
R. M. VEATCH,  
Committee on the part of the senate.  
JOHN Q. WILSON,  
J. J. FISHER,  
J. MEYER,  
Committee on the part of the house.



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 18, 1889. }

*Mr. President :*

Your special committee appointed to visit and examine into the conditions, surroundings and workings of the Orphan's home, in company with a like committee appointed by the house for the same purpose, have visited said home, and beg leave to make the following report:

That your committee visited the Orphan's home at Portland and find eighty-two children at said home with Mrs. Wood as matron. We find the home in perfect order and cannot say too much to its credit. We your committee recommend that the State appropriate three thousand dollars (\$3,000) to the support of said home, the same as the State has appropriated before. And we further recommend that the State appropriate one thousand dollars (\$1,000) for the building of a hospital at the home, as we find it is very much needed and by all means should be built, as your committee would most respectfully submit the following report.

E. T. HATCH,  
Senate Committee.  
JOHN Q. WILSON,  
J. J. FISHER,  
J. MEYER,  
House Committee.

On motion of Mr. Hatch, the foregoing report was ordered adopted.

Mr. Cogswell asked and obtained unanimous consent to have senate bill No. 205 considered engrossed instead of ordered engrossed for a third reading to-morrow.

Which was so ordered.

Senate bill No. 172 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Chandler, Hamilton, and Hilton—6.

Excused from voting by request—Mr. Irvine.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 186 coming on for a third reading, Mr. Wait asked permission to pass the bill and take up house bill No. 212 instead thereof.

Which request was granted.

House bill No. 212 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Veatch, Wager, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Chandler, Hamilton, Hatch, Steel, Tongue, Wait and Watkins—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Moore moved that the rules be further suspended and that the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin and Veatch—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Moore moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Carson and Chamberlin—3.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—Mr. Barin.

Absent—Messrs. Cauthorn, Chamberlin and Veatch—3.

So the bill passed.

On motion of Mr. Norval, the senate adjourned.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chamberlin, Moore and Wait.

At the request of Mr. Dimick, it was ordered that Mr. Chamberlin be excused from attendance this afternoon on account of illness.

At the request of Mr. Veatch, it was ordered that Mr. Cauthorn be excused from attendance this afternoon on account of illness.

Mr. Tongue moved that the vote by which senate bill No. 142 failed to pass this forenoon be reconsidered.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Gray and Wait—5.

So the motion prevailed and the vote was so reconsidered.

The question now recurring on the final passage of the bill, the President stating the question, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—24.

Nays—Messrs. Veatch, Wager and Watts—3.

Absent—Messrs. Barin, Cauthorn and Chamberlin—3.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

On motion of Mr. Wait, the further consideration of senate bill No. 186 was ordered indefinitely postponed.

Senate bill 189 coming on for the third reading, Mr. Fullerton asked and obtained leave to pass this bill and instead thereof take up for consideration house bill No. 221, the same being upon the same subject matter.

House bill No. 221 coming on for a first reading, Mr. Fullerton moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn and Chamberlin—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Fullerton moved that the rules be further suspended and that the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin and Looney—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Fullerton moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Gray and Sinclair—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—Mr. Veatch.

Absent—Messrs. Barin, Cauthorn, Chamberlin and Sinclair—4.

So the bill passed.

On motion of Mr. Fullerton, the consideration of senate bill No. 189 was indefinitely postponed.

Senate bill No. 181 coming on for the third reading, Mr. Steel obtained the unanimous consent to pass this bill for the present and take up house bill No. 19 for consideration, the same relating to the same subject matter.

House bill No. 19 coming on for a first reading, Mr. Steel moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler and Watkins—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Steel moved that the rules be further suspended and that the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Hilton, Sinclair, Steel and Watkins—10.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Steel moved that the rules be still further suspended and the bill be read a third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Fullerton, Veatch and Watkins—8.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Cogswell moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Barin, Carson (Cauthorn absent on leave), (Chamberlin absent on leave), Chandler, Sinclair and Veatch.

The Sergeant-at-Arms was instructed to notify absentees, and the Doorkeeper to attend the door.

Mr. Veatch appeared within the bar of the senate.

On motion of Mr. Tongue, further proceedings under the call were dispensed with.

The question now being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—19.

Nays—Messrs. Dimick, Irvine, Looney, Veatch, Wager and Watts—6.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin and Chandler—5.

So the bill passed.

On motion of Mr. Steel, the further consideration of senate bill No. 181 was ordered indefinitely postponed.

Senate bill No. 61 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27[23].

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Hamilton and Sinclair—7.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 166 and 90, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Senate bill No. 10 was read the third time.

The question being, "Shall the bill pass?" on motion of Mr. Fullerton, the further consideration of senate bill No. 10 was postponed and made the special order for 7:30 o'clock this evening.

Senate bill No. 202 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Stanley, Tongue, Wait, Watkins and Mr. President—16.

Nays—Messrs. Dawson, Looney, Veatch and Watts—4.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Gray, Irvine, Sinclair, Steel and Wager—10.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

## MESSAGE FROM THE GOVERNOR

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 20, 1889. }

*To the Honorable the President of the Senate:*

I am directed by the Governor to inform you that he has approved and signed the following bills:

Senate bill No. 206, senate bill No. 117, senate bill No. 126, senate bill No. 53, senate bill No. 70, senate bill No. 195, senate bill No. 116, senate bill No. 23, senate bill No. 139, and the same have been filed in the office of the Secretary of State.

The following bills have been filed in the office of the Secretary of State, to become laws without the Governor's signature: House bill No. 33, senate bill No. 5, senate bill No. 56, senate bill No. 59, house bill No. 126, house bill No. 157, house bill No. 108, house bill No. 54, house bill No. 55, house bill No. 115, house bill No. 194, senate bill No. 69.

WM. A. MUNLY,  
Private Secretary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 115.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 115 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 161.



And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 161 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 66 and senate bill No. 95.

And the same are herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 66 and senate bill No. 95 were ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 118 with an amendment thereto attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The house amendment to senate bill No. 118 was read and is in words and figures as follows:

Amend section 4, line 24, by striking out the words "four hundred dollars" and insert "twenty-five dollars" instead.

On motion of Mr. Hilton, the senate concurred in the above amendment.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has

passed house bill No. 147, to amend section 3542, chapter LXVI, of the general laws of Oregon, as compiled by W. Lair Hill.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 196, to provide for recording wills.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 92, to amend sections 2575, 2576 and 2577, title I, chapter XVI, of the miscellaneous laws of Oregon.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred with the senate in senate joint resolution No. 9.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 9 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 75, notwithstanding the objections and veto of the Governor, that he has signed it.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 132 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 132, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 177, 199, 191 and 35.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 177, senate bill No. 199, senate bill No. 191 and senate bill No. 35, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon. }  
 February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 86.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
 Chief Clerk.

Senate bill No. 86 was ordered enrolled.

Mr. Watts, of the special committee appointed under senate resolution No. 24, submitted the following:

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 19, 1889. }

*Mr. President:*

Your committee appointed under senate resolution No. 24, to ascertain the number of miles traveled by each member of the senate in going to and returning from the seat of government, and for committee work, has had the same under consideration, and beg leave to submit the following:

<i>Names.</i>	<i>Miles.</i>	<i>Names.</i>	<i>Miles.</i>
Barin .....	84	Looney .....	40
Carson .....	248	Mackay .....	212
Cauthorn .....	80	Moore .....	160
Chamberlin .....	4	Norval .....	758
Chandler .....	930	Raley .....	706
Cogswell .....	984	Sinclair .....	550
Dawson .....	70	Stanley .....	648
Dimick .....	50	Steel .....	106
Eakin .....	146	Tongue .....	144
Fullerton .....	300	Veatch .....	390
Gray .....	428	Wager .....	564
Hamilton .....	1000	Wait .....	104
Hatch .....	216	Watkins .....	282
Hilton .....	560	Watts .....	206
Irvine .....	60	Mr. President .....	106

M. L. CHAMBERLIN,  
 Chairman.

On motion of Mr. Watts, the foregoing report was adopted.

Senate bill No. 205 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Fullerton, Raley, Sinclair, Steel and Wager—8.

So the bill passed, and there being no objections, the title of the bill was ordered to stand as the title of the Act.

Mr. Tongue moved that the rules be suspended and senate bill No. 179 be considered and read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Fullerton, Raley and Sinclair—7.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Tongue moved that the rules be further suspended and the bill read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin and Sinclair—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay,

Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin and Sinclair—4.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Mr. Moore asked and obtained unanimous consent to consider house bill No. 114.

House bill No. 114 coming on for its first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin and Sinclair—4.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

Mr. Moore moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin and Sinclair—4.

So the rules were suspended and the bill was read a second time by title and passed to the third reading.

Mr. Moore moved that the rules be still further suspended and the bill be read the third time and placed on its final passage.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin and Sinclair—4.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin and Sinclair—4.

So the bill passed.

On motion of Mr. Dimick, it was ordered that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening.

On motion of Mr. Barin, the senate adjourned.

#### EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Cauthorn, Chamberlin, Cogswell, Hamilton, Moore, Raley, Stanley and Wager.

House bill No. 173 coming on for consideration, Mr. Steel submitted the following amendments by unanimous consent:

Amend section 4 of chapter II, engrossed bill, by striking out the letter "G" in the tenth line, and insert in lieu thereof the letter "F."

Second—Amend section 37, chapter V, of said bill by striking out subdivisions 1 and 2, and insert the following:

1. To assess, levy and collect taxes for general municipal purposes, not to exceed three mills on the dollar, upon all property, both real and personal, which is taxable by law for State or county purposes.

2. To levy and collect a special tax of three and a half mills on the dollar upon all the property assessed by authority of the first subdivision of this section for the purpose of running, conducting and maintaining the fire department of said city, which shall be known and designated as the "fire department fund," which fund shall not be used or expended for any other purpose, and to levy and collect a special tax of three and a half mills on the dollar upon all the property assessed by authority of the first subdivision of this

section for the purpose of running, conducting and maintaining the police department of said city, which shall be known and designated as the "police department fund," which fund shall not be used or expended for any other purpose. The estimated amount required to pay the salaries of the officers and employes of said departments respectively, for the current year, shall at the beginning of each year be appropriated and set apart from said funds, respectively, for that purpose, and shall not be used or expended for any other purpose, and all debts contracted and all liabilities incurred by either of said departments in excess of said amounts so levied and collected for said funds respectively shall be null and void, unless the common council shall in case of great emergency authorize the board of police commissioners or board of fire commissioners, as the case may be, to incur the same.

Third—Amend section 50 of chapter VII by inserting in line 10, engrossed bill, after the words "fire department" the words "and water committee."

Fourth—Amend section 40, chapter VI, by striking out all after the words "casting vote" in line 20.

Fifth—Amend section 73, chapter VIII, engrossed bill, by striking out of line 19 after the word "treasury" the words, "*provided, however*, that the council shall have the power to reduce the amount of such appropriations if in its judgment the estimate of the commissioners shall be greater than the amount of the money which in its judgment should be expended for the purposes contemplated in such estimate."

Sixth—Amend section 73, chapter VIII, engrossed bill, by striking out of line 6 after the word "business" the words, "the board of police commissioners shall audit and allow all necessary expenses of conducting and running the police department," and insert in lieu thereof: "The board of commissioners have power and may from time to time fix and determine the salaries to be paid to the chief of police, the captains of police and policemen, but such salaries shall not exceed the amount limited in section 74, and they shall audit and allow all necessary expenses of conducting and running the police department."

Seventh—Amend section 73, chapter VIII, said bill, by adding to the said section the words: "And the common council shall at the same time that other taxes are levied and collected levy and collect a special tax sufficient to raise the amount so estimated by said board of police commissioners, not exceeding  $3\frac{1}{2}$  mills on the dollar of all the taxable property of said city."

Eighth—Amend section 74, chapter VIII, said bill, by striking out of lines 2 and 3 the words "two hundred dollars," insert in lieu thereof the words "two hundred and fifty dollars."



Ninth—Amend section 143, chapter XII, by striking out of said section all after the words “hereinafter provided” in line 26.

Tenth—Amend section 144, chapter XII, by striking out of line 14 the name “A. H. Breyman.”

Eleventh—Amend section 160, subdivision 3, of chapter XII, by striking out all after the word “city” in line 3.

Twelfth—Amend chapter XII by adding section 166 as follows:

Section 166. All bonds issued and disposed of under this Act shall be exempt from taxation either by this State or any county or municipal corporation therein.

Thirteenth—Amend section 177, chapter XIII, by inserting in line 24 [of] said bill after the word “commissioner” the following words: “not exceeding  $3\frac{1}{2}$  mills on the dollar of all the taxable property of said city.”

Fourteenth—Amend chapter XIV by adding section 199 $\frac{1}{2}$ , as follows: Section 199 $\frac{1}{2}$ . This Act shall be submitted for acceptance or rejection to a vote of the electors of each of the three municipal corporations now existing within the territorial limits defined in section 2, to-wit: the city of Portland, the city of East Portland and the city of Albina, and for the purpose of taking the vote of the electors of said cities for the acceptance or rejection of this Act, an election shall be held in each of said cities on the first Monday in May, 1889, to be conducted in each according to the existing laws regulating the election of councilmen therein, as far as applicable, except as herein otherwise provided. Each elector who votes upon the acceptance or rejection of this Act shall have printed or written upon his ballot, if voting for its acceptance, the words “For consolidation,” and if voting for its rejection, the words “Against consolidation.” The mayor of each of said cities shall within five days after such election certify to the auditor of the city of Portland the result of such election in the city of which he is mayor, which certificate shall designate the number of votes given at such election for consolidation, as also the number of votes so cast against consolidation, and the mayors of said cities shall on the second Monday in May, 1889, meet at the office of the auditor of the city of Portland and canvass said votes and declare and cause to be published in three or more newspapers published in Multnomah county, Oregon, the result of such election. If a majority of all the votes given for and against consolidation in each of said cities named in this section shall be given for consolidation, then this Act shall be deemed to be approved and accepted by the electors of said cities, and shall take effect at 12 o'clock, noon, on the first Monday in July, 1889, and officers shall be elected on the third Monday in June, 1889, to fill all the offices by this Act created except such as are elsewhere

herein provided for, and the terms of such officers so elected shall commence when this Act takes effect; and if a majority of such votes given in either of said cities shall be given against consolidation, then this Act shall be deemed to be rejected by the electors interested, and shall be void and of no effect.

On motion of Mr. Steel, the foregoing amendments were adopted.

Mr. Steel moved to suspend the rules, and that house bill No. 173 be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—23.

Nays—Mr. Veatch.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Hamilton, Tongue and Wager—6.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Steel moved a call of the Senate.

The roll being called, all the Senators were present except Messrs. Carson, Cauthorn, Chamberlin, Gray, Hamilton, Raley and Sinclair.

The Sergeant-at-Arms was instructed to notify absent members to appear within the bar of the senate, and the Doorkeeper to attend the door.

Messrs. Carson, Gray and Raley appeared within the bar of the senate.

On motion of Mr. Irvine, further proceedings under the call of the senate were dispensed with.

The question now recurring on the vote of the final passage of the bill, the question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Wait, Watkins, Watts, and Mr. President—21.

Nays—Mr. Veatch.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Dimick, Hamilton, Looney, Tongue and Wager—8.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 135 and 3, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 227, to amend section 3303 of the annotated laws of Oregon, as compiled by W. Lair Hill.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 166 and senate bill No. 90.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 90 and senate bill No. 166, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 71 and 85 have been reported as correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 71 and house bill No. 85, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 165.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 165 was ordered enrolled.

The time having arrived for the consideration of house bill No. 237 under special order, the senate resolved itself into a committee of the whole to consider said bill, with Mr. Barin as chairman.

The committee of the whole having been dissolved, the senate was again called to order by President Simon.

Mr. Barin, chairman of the committee of the whole, submitted the following report:

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

Your committee of the whole senate, to whom was referred house bill No. 237, beg leave to report that they have had the same

under consideration, and would respectfully report it back to the senate with the recommendation that it do not pass.

L. T. BARIN,  
Chairman.

Mr. Cogswell moved that the report of the committee be adopted.

On this question the ayes and nays were called for by Messrs. Veatch, Wager and Dimick.

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Fullerton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—17.

Nays—Messrs. Chandler, Dimick, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Veatch, Wager and Watts—11.

Absent—Messrs. Chamberlin and Hamilton—2.

So the report was ordered adopted.

Mr. Tongue moved that house bill No. 237 be referred to a special committee of five hold-over Senators, of which Mr. Raley should be chairman, with instructions to report at the next session of the legislature of the State of Oregon.

Which motion prevailed and the bill was so referred.

On special request, Mr. Carson was granted leave of absence to attend to committee work for this evening.

Mr. Tongue moved that the rules be suspended and that he be allowed to introduce a bill of which previous notice has not been given.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wait and Watkins—18.

Nays—Messrs. Chandler, Veatch, Wager, Watts, and Mr. President—5.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Dawson, Stanley and Steel—7.

So the senate refused to suspend the rules and the motion was lost.

By special request, leave of absence was granted Mr. Sinclair on account of illness for the evening.

The Governor returned senate bill No. 166, for the reason that the enacting clause had been omitted therefrom, whereupon Mr. Dimick asked and obtained leave to withdraw said bill from the files.

By unanimous consent, Mr. Dimick introduced senate bill No. 209, being a bill for an Act to amend the charter of the city of Salem.

Mr. Dimick moved that the rules be suspended and that the bill be read the first time by title.

The roll being called, the motion prevailed by the following vote:

Those voting aye were:

Messrs. Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Eakin, Sinclair, Steel and Wager—10.

So the rules were suspended and the bill read the first time by title and passed to a second reading without a question.

Mr. Dimick moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Chandler, Dawson, Eakin, Sinclair, Steel and Wager—10.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Dimick moved that the rules be still further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Sinclair, Steel and Wager—8.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dimick, Fullerton, Gray, Hamilton,

Hatch, Hilton, Irvine, Mackay, Looney, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Eakin, Sinclair, Steel and Wager—9.

So the bill passed, and there being no objections, it was ordered that the title of the bill stand as the title of the Act.

Senate bill No. 123 was read the third time.

Mr. Fullerton moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Eakin, Norval, Sinclair and Steel.

The Sergeant-at-Arms was instructed to notify the absent members to appear within the bar of the senate, and the Doorkeeper to attend the door.

On motion of Mr. Fullerton, the further call of the senate was dispensed with.

Mr. Tongue moved to refer senate bill No. 123 to the committee on assessments and taxation with instructions to amend as follows:

Strike out all after the enacting clause and insert the following: That from and after the first day of September, 1889, no indebtedness of any kind shall be deducted except at its value as a credit. All Acts and parts of Acts in conflict herewith are hereby repealed.

On motion of Mr. Raley the above amendments were indefinitely postponed.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Dimick, Eakin, Gray, Hamilton, Hatch, Looney, Moore, Wait, Watts, and Mr. President—11.

Nays—Messrs. Fullerton, Hilton, Irvine, Mackay, Stanley, Raley, Tongue, Veatch, Wager and Watkins—10.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Dawson, Norval, Sinclair and Steel—9.

So the bill failed to pass.

By unanimous consent, Mr. Moore introduced the following resolution:

#### SENATE RESOLUTION NO. 10.

*Be it Resolved by the Legislative Assembly of the State of Oregon:*

That the Secretary of State is hereby authorized and instructed to have the journals of the legislative assembly, and the Acts, reso-

lutions and memorials thereof copied for the use of the State Printer, and that the original copy of such journals, Acts, resolutions and memorials be retained on file in his office as custodian of the records of the State; the compensation for such copying to be such as is prescribed by law for like services.

Mr. Moore moved that senate joint resolution No. 10 be adopted.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Norval, Sinclair and Wager—8.

So senate joint resolution No. 10 was adopted.

The time having arrived for the special order, being the consideration of senate bill No. 10, the question was asked, "Shall the bill pass?"

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Gray, Raley and Wager—3.

Nays—Messrs. Barin, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Looney, Mackay, Moore, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—17.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dawson, Hilton, Irvine, Norval, Sinclair and Veatch—10.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed house bill No. 220, to amend section 2593, title III, chapter XVI.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 240, to amend section 8 of Hill's code relative to insurance companies.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 100, to amend section 409, title III, chapter V, of the laws of the State of Oregon, as compiled and annotated by W. Lair Hill.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 146.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 146 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 129.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 129 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 190 with amendments thereto attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The house amendments to senate bill No. 190, accompanying the foregoing message, were read and were in words and figures as follows, to-wit:

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 18, 1889. }

*Mr. Speaker :*

Your committee on corporations, to whom was referred senate bill No. 190, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass, with the following amendments:

Amend by striking out subdivisions 2 and 3 of section 31 and insert the following:

2. To assess, levy and collect taxes not to exceed one-half of one per centum per annum on all property, both real and personal, which is taxable by law, for State or county purposes.

3. To borrow money on the faith of the city or loan the credit thereof, or both; *provided*, that the indebtedness of the city of McMinnville must not in the aggregate exceed the sum of five thousand dollars, except that for the purpose of constructing and maintaining a system of water works the council may incur an additional indebtedness of \$20,000, and no more, and may issue the bonds of the city therefor; *provided further*, that in case the bonds of the city are issued to pay for said works, they shall not be sold for less than their par value, and shall not draw a greater interest than eight per cent per annum, and the council is hereby authorized and empowered, for the purpose of paying said bonds and interest in addition to the tax authorized by subdivision 2 of section 31 of this Act, to levy and collect annually the sum of one-half of one per centum on all the taxable property of the city; and said council shall provide by ordinance for the collection of a water tax from all the consumers of said water, and impose fines and penalties for refusing or neglecting to pay the same, and establish the rate, time and manner in which it shall be paid, and all moneys received and collected from said tax and water rate shall be applied to the payment of said bonds and interest thereof and the maintenance of said water works and for no other purposes whatsoever; *provided further*, that after said bonds and interest shall have been fully paid, the council shall collect such an amount from the inhabitants of said city as shall be sufficient to maintain said water works in good repair.

R. R. LAUGHLIN,  
Chairman.

On motion of Mr. Watts, the foregoing amendments were concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 139 has been reported correctly enrolled, and that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The president announced that he was about to sign house bill No. 139, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 197, to amend section 4070, title 1, chapter LXXVI, of miscellaneous laws of Oregon, compiled by W. Lair Hill.

And the same is herewith transmitted to you for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 219, for the relief of D. C. Sherman and E. L. Briggs.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bill No. 135 and senate bill No. 3.

And the same are herewith returned.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign senate bill No. 135 and senate bill No. 3, and shortly afterwards stated that he had signed the same.

On motion of Mr. Gray, the senate adjourned.

JOHN H. SHUPE,  
 Chief Clerk.

THURSDAY, FEBRUARY 21, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present.

Prayer was offered by Mr. Brown of Salem.

On motion of Mr. Watts, the reading of the journal of yesterday was dispensed with.

Mr. Sinclair, chairman of the joint special committee to inquire into the workings of the Oregon fish commission by virtue of house joint resolution No. 2, submitted the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

Your committee appointed by virtue of house joint resolution No. 2, to inquire into the workings of the Oregon fish commission and examine the accounts of the same, report:

We have examined the accounts of said commission and find that their expenditures have been \$12,000, for all of which we find vouchers in due form. The sum of \$3,500 was contributed by those interested in fishing industries within the State and Washington Territory, which was duly expended by said commission in enforcing the laws protecting fish and in and about the hatchery.

We find from the statement of fishermen and others that the commission by their efforts succeeded in having the laws for the protection of fish observed to a very general extent, and considering the moderate means at the disposal of the commission for that purpose, their work in this line has been very effective.

We also find that their management of the Clackamas hatchery has been entirely successful, and that since they have turned the hatchery over to the United States, the State ought to appropriate money to enable the commission to complete the hatching and dis-

tribution of the eggs and young salmon remaining in the hatchery after the first of November of each year.

We also think that the recommendation of the commission, that there should be at least three hatcheries on the Columbia and its tributaries, would be a good measure, and that by so doing the run of salmon can be perpetuated; and we would recommend a liberal appropriation therefor, especially in view of the fact that there is a bill looking to the taxing of fish taken from the waters of the State.

We think the efforts of the commission and liberality of the cannery men in raising \$3,500 for the purpose of enforcing the law and sustaining the Clackamas hatchery ought not to be overlooked, as it shows that a genuine interest has been taken in the matter.

We recommend a liberal appropriation for the pay of the commission and for the establishment of hatcheries in addition to the amount of \$5,000 paid by the General Government.

Respectfully submitted,

W. SINCLAIR,  
Chairman Joint Committee.

On motion of Mr. Tongue, the foregoing report was ordered printed.

By special request, leave of absence was granted Mr. Norval until to-morrow noon.

By request, Mr. Chamberlin was excused from attendance to-day on account of illness.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 66, 86, 161, 115 and senate joint resolution No. 9, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Sinclair, chairman of the joint special committee to investigate the affairs of the State Printer, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 20, 1889. }

*Mr. President:*

Your committee appointed to investigate the manner in which the public printing has been done for the State during the last two years, have to report that they have selected as expert to pass upon and measure the work, Mr. George Hibbert, a practical printer of high professional standing as a member of the Typographical Union of Oregon, who conducted the examination with diligence and care.

Before taking his seat as State Printer, Mr. Baker procured a complete plant, consisting of type, presses, etc., at an outlay of \$9,000 and proceeded to occupy the rooms in the capitol building, where his office is now situated. This arrangement has been economical and convenient, avoiding delay to the legislature when in session and the various other departments during the recess thereof.

Mr. Baker informs your committee that he does no printing other than State work, hence does not compete with private printing concerns.

Your committee commends the action of Hon. R. P. Earhart, ex-Secretary of State, and Hon. Geo. W. McBride, Secretary of State, in providing rooms and other conveniences for the State Printer, and we recommend that this legislature instruct the Secretary of State to continue the same.

The well fitted office of the State Printer and his large force of skilled workmen have enabled him to perform the legislative printing with promptness and accuracy, and this committee would withhold just commendation did it not call attention to the saving of valuable time to this legislature thereby.

The prices allowed the State Printer by the State printing experts have been fair and reasonable. In some items the measurements of Mr. Hibbert vary from those of the State experts, but the total amounts allowed by them were not in excess of the prices prescribed by law.

The printing done for the land department is paid for out of the general fund; and as the volume of business in connection with the sales of lands and the lending of money on account of the school fund is rapidly increasing, it would seem proper that the paper, printing and binding for such purposes be paid out of that fund.

The paper necessary for the public printing is paid for out of

the printing fund, and the purchase of unusually large supplies of paper has been rendered necessary by reason of the increased size of the several reports and of the laws and journals and the additional reports of the commissioners and officers created by recent legislation.

We find that the State Printer has given his receipt to the Secretary of State for paper furnished for the State printing, and has kept an account of the use of the same as required by law. The amount of paper used for public printing, together with that now on hand, equals the total amount furnished by the Secretary of State; and we find that all the paper used has been for the public printing.

The excellent style in which the printing has been done, being equal to that of any other State in the Union, deserves especial commendation.

Your attention is directed to the report of the committee expert, which gives a more detailed account of the transactions of the office.

Respectfully submitted,

WALTER SINCLAIR,  
Chairman Joint Committee.

A. H. CROOK,  
Chairman House Committee on Printing.

WALTER SINCLAIR,  
Chairman Senate Committee on Printing.

#### REPORT OF EXPERT.

*To Messrs. Sinclair, Steel and Cogswell, on the part of the Senate, and Messrs. Crook, Hume and Miller, on the part of the House, Joint Committee to investigate the manner in which the public printing has been done during the past two years—*

GENTLEMEN: Herewith I submit my report to you as expert to measure the work performed by the State Printer during the past two years:

I have carefully measured and examined the work performed and compared my measurements with the bills rendered by the State experts for which the State Printer received pay, and the rates allowed have been according to law. While my figures do not in all instances agree with those of the State experts, in the aggregate the measurements have been just and reasonable.

I find that the printing has been executed in a manner not excelled by that of any other State in the Union. By comparison with the work of the past State Printers of Oregon, it shows better work and has been done with much greater dispatch and promptness.



At least 25 per cent more printing has been done in the past two years than during the same period of any previous State Printer, owing to the growth of the State, which necessitated a general increase of printing in the several departments.

Shortly after entering upon the duties of my position, I found that I could not properly conduct the investigation without additional clerical assistance, whereupon the chairmen of the senate and house committees, to whom I applied, selected three clerks, who rendered valuable aid in prosecuting the investigation.

The cost of printing done during the last two years for the several departments, including deficiencies in bills filed prior to December 31, 1888, is as follows: For the fourteenth biennial session, which includes senate and house bills, resolutions and memorials, \$4,889.73; miscellaneous work for both houses, \$118.79; session laws, \$867.50; school laws, \$637.17; road laws, \$99.38; insurance laws, 20.59; senate journal, \$917.30; house journal; \$1,129.45; judicial department, \$86.16; executive department, including the offices of Governor, Secretary of State, Treasurer, Superintendent of Public Instruction, board of land commissioners and public institutions, \$9,302.35. There has been miscellaneous printing done for which bills were submitted subsequent to December 31, 1888, amounting to \$1,717. The above does not include the uniform series of school blanks, for which special appropriation was made by the legislature of 1887, nor the printing for militia, the same being payable out of funds arising from special tax.

A careful account of the use of the paper furnished for the State printing is kept in a book showing the kinds and amounts used and the purpose to which the same is applied. Such account shows that due care has been observed in the use of the paper, so as to avoid unnecessary waste, and that all paper received by the State Printer has been used for public printing excepting that now in his possession.

I find that the printing ordered and performed for the State board of agriculture is in excess of the amount appropriated therefor and recommend that the Printer be paid for this work, which was necessary to the successful prosecution of the purposes and objects for which said board was constituted by law.

The pamphlet entitled "The Resources of the State of Oregon," printed by said board pursuant to an Act approved February 20, 1885, is not included in the above statement, not being payable out of the printing fund.

Respectfully submitted,

GEO. HIBBERT,  
Expert.

On motion of Mr. Moore, the foregoing report was adopted.

The President now announced the appointment of Messrs. Raley, Wait, Hilton, Tongue and Cogswell as a committee to whom was referred house bill No. 237, on assessment and taxation, with instructions to report at the next session of the legislature.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate joint resolution No. 10.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate joint resolution No. 10 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 203.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 203 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 221 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 221, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bills Nos. 212 and 69 have been reported correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 212 and house bill No. 69, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 198.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 198 was ordered enrolled.

By unanimous consent, leave was granted to the committee on education to report on house bill No. 12, and Mr. Hatch, chairman of said committee, submitted the following :

## REPORT.

SENATE CHAMBER, }  
SALEM, Oregon, }  
February 15, 1889. }

*Mr. President :*

Your committee on education, to whom was referred house bill No. 12, beg leave to report that they have had the same under

consideration, and would respectfully report it back to the senate with the recommendation that it do pass, with the following amendment:

#### AMENDMENT.

Amend section 1, line 4, after the word "educate" insert the following: "But this Act shall not be applicable to districts with a population of 1,000 and upwards."

E. T. HATCH,  
Chairman.

By unanimous consent, Mr. Moore, chairman of the committee on elections, was granted leave to submit the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

Your committee on elections, to whom was referred house joint resolution No. 1, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate with the recommendation that it do pass.

F. A. MOORE,  
Chairman.

House joint resolution No. 1 was read, and Mr. Moore moved its adoption.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Cogswell, Irvine, Stanley, Veatch and Wager—5.

Absent—Messrs. Chamberlin and Norval—2.

So house joint resolution No. 1 was adopted.

House bill No. 96 was read the first time and passed to a second reading without a question.

Mr. Wager moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Norval, Steel, and Veatch—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Wager moved that the rules be further suspended and the bill be read the third time by title now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Irvine, Looney, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Dimick, Hatch, Hilton, Moore and Tongue—6.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the bill passed.

House bill No. 141 was read the first time and passed to a second reading without question.

Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Veatch, Wait, Watkins, Watts, and Mr. President—25.

Nays—Mr. Tongue.

Absent—Messrs. Chamberlin, Dawson, Norval and Wager—4.

So the rules were suspended and the bill was read a second time by title and passed to the third reading.

Mr. Cogswell moved that the rules be still further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Fullerton, Gray, Hamilton, Hatch, Irvine, Moore, Raley, Sinclair, Stanley, Steel, Veatch, Wait, Watkins, Watts, and Mr. President—20.

Nays—Messrs. Chandler, Hilton, Looney, and Tongue—4.

Absent—Messrs. Chamberlin, Dimick, Eakin, Mackay, Norval, and Wager—6.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the bill passed.

House bill No. 53 was read the first time and passed to a second reading without question.

House bill No. 153 was read the first time and passed to a second reading without question.

House bill No. 80 was read the first time and passed to a second reading without question.

House bill No. 77 coming on for its first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval, and Sinclair—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 65 was read the first time and passed to a second reading without question.

House bill No. 42 coming on for a first reading, Mr. Moore

moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval and Sinclair—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 104 coming on for a first reading, Mr. Hatch moved that the rules be suspended and the bill be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval and Sinclair—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 41 was read the first time and passed to a second reading without question.

House bill No. 51 coming on for a first reading, Mr. Mackay moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Chamberlin, Dawson, Gray, Norval, Sinclair, Wager and Wait—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 110 coming on for a first reading, Mr. Mackay moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval and Sinclair—3.

So the rules were suspended, and the bill was read the first time by title, and passed to a second reading without a question.

House bill No. 144 coming on for the first reading, Mr. Eakin moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Dimick, and Norval—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

By unanimous consent, Mr. Steel, chairman of the committee on railroads, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

Your committee on railroads, to whom was referred house bill No. 68, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

G. A. STEEL,  
Chairman.

House bill No. 68 was ordered to a third reading.

House bill No. 49 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Norval, Sinclair, and Wait—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 32 coming on for a first reading, Mr. Watts moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Dawson, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Cogswell, Dimick, Fullerton, Norval, Sinclair, Steel and Wait—9.

So the rules were suspended and the bill read the first time by title and passed to a second reading without question.

House bill No. 63 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Norval and Wait—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 151 was read the first time and passed to a second reading without a question.

House bill No. 24 was read the first time and passed to a second reading without a question.

House bill No. 164 was read the first time and passed to a second reading without a question.

House bill No. 228 was read the first time and passed to a second reading without a question.

House bill No. 137 was read the first time and passed to a second reading without a question.

House bill No. 163 coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dimick, Norval, Stanley, Steel and Tongue—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 179 coming on for a first reading, Mr. Fullerton moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dawson, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Chandler, Dimick, Hamilton, Norval, Raley, Steel and Tongue—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 187 coming on for a first reading, Mr. Moore moved that the rules be suspended and that the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Dimick, Hamilton, Norval, Steel and Tongue—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 18 coming on for a first reading, Mr. Hilton moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Gray, Hatch, Hilton, Looney, Mackay, Moore, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Dimick, Fullerton, Hamilton, Irvine, Norval, Raley, Steel and Tongue—10.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 121 coming on for a first reading, Mr. Dawson moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Eakin, Gray, Hatch, Hilton, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Dimick, Fullerton, Hamilton, Irvine, Norval, Raley and Tongue—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 170 coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Dimick, Fullerton, Hamilton, Norval, Raley and Tongue—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 67 coming on for a first reading, Mr. Barin moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay,

Moore, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Dimick, Norval and Raley—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 230 coming on for a first reading, Mr. Eakin moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Dimick, Norval and Raley—5.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without further question.

House bill No. 236 coming on for a first reading, Mr. Dawson moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dawson, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Sinclair, Stanley, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Chandler, Dimick, Eakin, Irvine, Norval, Raley, Steel and Tongue—10.

So the rules were suspended and the bill was read a first time by title, and passed to a second reading without question.

House bill No. 175 was read the first time and passed to a second reading without question.

House bill No. 101 was read the first time and passed to a second reading without question.

House bill No. 165 was read the first time and passed to a second reading without question.

House bill No. 94 was read the first time and passed to a second reading without question.

House bill No. 171 was read the first time and passed to a second reading without question.

House bill No. 34 coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Chandler, Dawson, Dimick, Irvine, Norval and Raley—8.

So the rules were suspended and the bill was read a second time by title and passed to a second reading without a question.

House bill No. 20 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Dawson, Dimick, Irvine and Norval—8.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without question.

House bill No. 15 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Chandler and Norval—4.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without question.

House bill No. 215 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Chandler and Norval—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 191 coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Dimick and Norval—4.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House [?] bill No. 40 coming on for a first reading, Mr. Moore moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Dimick and Norval—6.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 112 coming on for a first reading, Mr. Eakin moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine,

Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval and Tongue—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 218 coming on for a first reading, Mr. Barin moved that the rules be suspended and the bill read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without question.

House bill No. 48 coming on for a first reading, Mr. ----- moved that the rules be suspended and the bill be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill read the first time by title and passed to a second reading without a question.

House bill No. 205 was read the first time and passed to a second reading without question.

House bill No. 206 was read the first time and passed to a second reading without question.

House bill No. 204 was read the first time and passed to a second reading without question.

House bill No. 147 was read the first time and passed to a second reading without question.

House bill No. 227 was read the first time and passed to a second reading without question.

House bill No. 220 was read the first time and passed to a second reading without question.



House bill No. 197 was read the first time and passed to a second reading without question.

House bill No. 196 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read the first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval and Stanley—3.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 92 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without question.

House bill No. 240 coming on for a first reading, Mr. Eakin moved that the rules be suspended and the bill be read a first time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without question.

House bill No. 100 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read the first time by title.



On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

House bill No. 219 coming on for a first reading, Mr. Tongue moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read a first time by title and passed to a second reading without question.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 185.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 185 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 22.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 22 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 47.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 47 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 108.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 108 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 142.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 142 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 1.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 1 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 9.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 9 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, )  
SALEM, Oregon, )  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 209.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 209 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 6 with amendments.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House amendments to senate bill No. 6, accompanying the foregoing message, were read and were in words and figures as follows, to-wit:

## REPORT.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred senate bill No. 6, recommend that the bill be amended by striking out the words "Joel J." in line 2 of printed bill and inserting in lieu thereof the words "heirs of A.;" also inserting after the word "Hembree," in said line, the words, "to be paid to the administrator of said A. J. Hembree."

Amend the title so as to read "A bill for an Act for the relief of the heirs of A. J. Hembree."

And they would respectfully report it back to the house with the recommendation that it do pass as amended.

W. B. GILBERT,  
Chairman.

On motion of Mr. Watts, the foregoing amendments were concurred in.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 12, to the effect that the legis-

lative assembly of Oregon does not endorse the action of the Governor in removing the last railroad commissioners from office.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 12 accompanying the foregoing message, was read, and on motion of Mr. Tongue, referred to the committee on judiciary.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 72 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 72, and shortly afterward stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 66, senate joint resolution No. 9, senate bill No. 161, senate bill No. 86, senate bill No. 115.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 66, senate bill No. 161, senate bill 115, senate bill No. 86, and senate joint resolution No. 9, and shortly afterwards stated that he had signed the same.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 95, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Chandler, on behalf of the joint special committee to examine the books and accounts of the Secretary of State, pursuant to senate concurrent resolution No. 3, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President :*

Your committee appointed under senate concurrent resolution No. 3, to examine the books and accounts of the Secretary of State, have completed our labors and beg leave to report as follows:

We have, with the assistance of good and competent accountants, pursued our investigations and find that the records have been kept in a neat and systematic manner, and that the papers and files pertaining to the office have been kept in such a manner as to be readily referred to.

We have carefully examined all the accounts appertaining to the office, compared the stubs of the warrant books with the entries as made in the abstract of warrants and sub-fund books, from which the Secretary's biennial report is made, and have also compared the vouchers with the aforesaid abstracts and ledger postings and find that they have been correctly entered under their appropriate headings and the footings therein, and find them correct.

We find all the duplicate Treasurer's receipts filed in the office of the Secretary of State correctly entered and the total footings and ledger postings correctly made of each fund therein.

The expenditures have in all cases been restricted to the rates and amounts fixed by law, and in all matters in which the Secretary has had discretionary powers, careful supervision and economy has been observed.

We have been shown the various details of this office, and note with interest the care taken by the Secretary for the protection of all State records, the most important of which have been placed in the vault and all the records have been segregated and carefully labeled and placed away so as to be readily found for future reference.

We have compared the Secretary's printed report with the records and find it correct, except a few typographical errors, and we have found all the funds and all the vouchers correct and properly accounted for.

We find Secretary McBride's bookkeeper, Major S. L. Lovell, a neat, careful and competent accountant, under whose direct and personal supervision the work of this department has been performed. The records of the acts of the executive and of commissions and appointments are carefully kept by Mr. B. F. Giltner, chief clerk, and show promptness and accuracy in the dispatch of business in his department.

Respectfully submitted,

M. L. CHAMBERLIN,  
GEO. CHANDLER,  
J. T. APPERSON,  
R. P. EARHART,  
ROBERT A. MILLER.

On motion of Mr. Cauthorn, the senate adjourned.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chamberlin, Norval, Stanley and Steel.

Mr. Watts moved that the rules be suspended and house bill No. 18 be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Raley, Sinclair, Tongue, Wait, Watkins, Watts, and Mr. President—20.

Nays—Mr. Veatch.

Absent—Messrs. Barin, Chamberlin, Cogswell, Gray, Moore, Norval, Stanley, Steel and Wager—9.

So the rules were suspended and the bill was read a second time by title.

Mr. Hilton moved that house bill No. 18 be amended as follows:

#### FIRST AMENDMENT.

Strike out all of lines five and six in section 1 of printed bill after the word "river" in line five up to and including the word "river" in line six, and insert instead thereof: to the south line of township 2 south, where it crosses the said John Day river; thence west along the said south line of township 2 south, to the middle of Deschuttes river.

#### SECOND AMENDMENT.

Section 12. The county court at its first regular session shall appoint a stock inspector whose salary shall be \$100 per annum, to be paid quarterly.

#### THIRD AMENDMENT.

In section 12, printed bill, strike out 12 and insert 13.

On motion of Mr. Hilton, the foregoing amendments were duly adopted.

Mr. Barin, chairman of the committee on judiciary, submitted the following report:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

Your committee on judiciary, to whom was referred house joint resolution No. 12, beg leave to report that they have had the same under consideration, and would respectfully report it back to the senate with the recommendation that it do pass.

L. T. BARIN,  
Chairman.

Mr. Barin moved to concur in house joint resolution No. 12.

Mr. Wager offered the following substitute for house joint resolution No. 12 as a minority report from the minority of the judiciary committee:

#### MINORITY REPORT

Of the judiciary committee on house resolution No. 12.

The undersigned, as a member of the judiciary committee, to



whom was referred house resolution No. 12, begs leave to report the following as a substitute for said resolution:

*Resolved*, That it is the sense of the legislative assembly that while the Governor of the State may have been mistaken in his action in removing the State railroad commission, and while we believe the commission were honorable, honest and capable men, who performed their duties fully under the law, the creation of a new commission with an additional member, and imposing an additional expense on the State without granting any additional powers or improving the law in any respect, as the Governor has suggested, an unwise and unnecessary measure, and we fully endorse the Governor as to the objections urged against the proposed change in the commission law.

Respectfully submitted,

J. P. WAGER.

Mr. Wager moved the adoption of the substitute to house joint resolution No. 12.

Upon this question the ayes and nays were called for by Messrs. Veatch, Irvine and Wager.

The roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Cogswell, Hamilton, Irvine, Raley, Veatch and Wager—7.

Nays—Messrs. Barin, Carson, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Steel, Tongue, Watkins, Watts, and Mr. President—18.

Absent—Messrs. Chamberlin, Norval, Sinclair, Stanley and Wait—5.

So the senate refused to adopt the substitute and the motion was lost.

The question now recurring on the adoption of house joint resolution No. 12, Mr. Fullerton moved the previous question, seconded by Mr. Moore.

The question being, "Shall the main question be now put?" it was so ordered by the senate.

The main question on the adoption of house joint resolution No. 12 was now put.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—19.

Nays—Messrs. Cauthorn, Chandler, Cogswell, Hamilton, Irvine, Raley, Veatch and Wager—8.

Absent—Messrs. Chamberlin, Norval and Stanley—3.

It was therefore ordered that house joint resolution No. 12 was concurred in.

Mr. Watkins now offered the following amendment to house bill No. 18:

In section 7, line 3, I move to strike out the words "third," "June," "second" and "of December," and insert instead thereof, "second," "March," "first" and "in October."

A vote being taken on the foregoing motion to amend, the same prevailed and it was so ordered.

Mr. Watts moved that the rules be suspended and the bill be read a third time now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the bill passed.

At this time the report of the joint special committee to examine the books and accounts of the Secretary of State was read, and on motion of Mr. Moore, ordered adopted.

By unanimous consent, Mr. Wait, chairman of the committee on claims, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

Your committee on claims, to whom was referred the claim of M. P. Dedy for \$866.67 as balance due on referee's fees in the five

cases of the State of Oregon against L. F. Grover, S. F. Chadwick *et al.*, together with interest on the same since July, 1880, beg leave to report that they have had the same under consideration and would respectfully report it back to the senate without recommendation.

J. K. WAIT,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 15.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 15 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 19, 114, 141, 195, that he has signed the same.

And they are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 19, house bill No. 114, house bill No. 141 and house bill No. 195, and shortly afterwards stated that he had signed the same.

## SECOND READING OF HOUSE BILLS.

House bill No. 45 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Chandler, Norval, Stanley and Watkins—7.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

House bill No. 3 was read a second time and passed to a third reading.

House bill No. 154 was read a second time and passed to a third reading.

House bill No. 109 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Norval, Stanley and Veatch—5.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 11 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Norval, Raley and Veatch—5.

So the rules were suspended and the bill was read a second time by title and passed to the third reading.

House bill No. 75 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Norval and Sinclair—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

### THIRD READING OF HOUSE BILLS.

House bill No. 83 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Looney, Norval, Sinclair and Watkins—5.

So the bill passed.

House bill No. 17 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Hilton, Norval and Sinclair—4.

So the bill passed.

House bill No. 7 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Steel, Tongue, Wager, Watkins, Watts, and Mr. President—22.

Nays—Messrs. Irvine, Veatch and Wait—3.

Absent—Messrs. Carson, Chamberlin, Norval, Sinclair and Stanley—5.

So the bill passed.

House bill No. 106 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Dawson, Eakin, Fullerton, Norval, Sinclair, Stanley, Steel and Watkins—10.

So the bill passed.

House bill No. 50 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Gray, Hatch, Hilton, Mackay, Moore, Raley, Sinclair, Tongue, Wait, and Mr. President—16.

Nays—Messrs. Cauthorn, Fullerton, Hamilton, Irvine, Looney, Veatch, Wager and Watts—8.

Absent—Messrs. Chamberlin, Dawson, Norval, Stanley, Steel and Watkins—6.

So the bill passed.

Mr. Moore introduced the following resolution:

#### SENATE CONCURRENT RESOLUTION NO. 11.

*Resolved by the Senate and House of Representatives of the Legislative Assembly of the State of Oregon:*

That the two houses meet in joint assembly in the hall of the house of representatives on Thursday, February 21, 1889, at 7:30 o'clock P. M. for the purpose of electing the following officers:

One Librarian.

Three Pilot Commissioners.

Three Railroad Commissioners.

Three Fish Commissioners.

One Boatman.

Mr. Cogswell moved to amend the foregoing senate concurrent resolution No. 11 by striking out "three Railroad Commissioners."

Which motion was lost.

Mr. Moore moved the adoption of senate concurrent resolution No. 11.

Which motion prevailed and it was so ordered.

House bill No. 59 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Norval, Sinclair and Watkins—5.

So the bill passed.

House bill No. 28 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Steel, Tongue, Veatch, Wager, Watkins, and Mr. President—23.

Nays—Mr. Fullerton.

Absent—Messrs. Chamberlin, Norval, Sinclair, Stanley, Wait and Watts—6.

So the bill passed.

House bill No. 145 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Wager, Wait, Watts, and Mr. President—23.

Nays—Messrs. Chandler, Irvine and Veatch—3.

Absent—Messrs. Chamberlin, Norval, Sinclair and Watkins—4.

So the bill passed.

House bill No. 84 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—20.

Nays—Messrs. Hamilton, Irvine, Veatch and Wager—4.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Dimick, Eakin, and Norval—6.

So the bill passed.

House bill No. 26 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Dawson, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Watkins, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Eakin, Fullerton, Looney, Norval, Wait and Watts—10.

So the bill passed.

House bill No. 155 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Watkins, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Fullerton, Looney, Norval, Steel, Wait and Watts—10.

So the bill passed.

House bill No. 39 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Eakin, Fullerton, Gray, Hatch, Hilton, Mackay, Moore, Sinclair, Steel, Tongue, Veatch, Wait, Watkins and Watts—17.

Nays—Messrs. Chandler, Cogswell, Dawson, Dimick, Hamilton, Irvine, Looney, Stanley, Wager, and Mr. President—10.

Absent—Messrs. Chamberlin, Norval and Raley—3.

So the bill passed.

House bill No. 38 coming on for a third reading, Mr. Dimick moved that the further consideration of this bill be indefinitely postponed.

Which was so ordered by a vote of the senate.

House bill No. 4 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:



Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Norval, Raley and Watkins—5.

So the bill passed.

House bill No. 102 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Sinclair, Stanley, Steel, Tongue, Wager, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Irvine, Norval, Raley, Veatch and Wait—7.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 1, 118, 129 and 198 and senate joint resolution No. 10, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 11.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 21, 1889. }

*To the Honorable, the President of the Senate:*

I am directed by the Governor to inform you that he has approved and signed the following bills:

House bill No. 132, senate bill No. 177, senate bill No. 90, house bill No. 5, house bill No. 64, senate bill No. 199, and the same have been filed in the office of the Secretary of State.

The following bills have been filed in the office of the Secretary of State to become laws without the Governor's signature:

House bill No. 85, house bill No. 71, senate bill No. 191, senate bill No. 35, senate bill No. 3.

WM. A. MUNLY,  
Private Secretary.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 226 and 96 and house joint resolution No. 1 have been reported as correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 226, house bill No 96 and house joint resolution No. 1, and shortly afterwards stated that he had signed the same.

On motion of Mr. Watts, it was ordered that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening.

House bill No. 203 was read the third time.

The question being, "Shall the bill pass?" Mr. Wager moved to refer the bill to the committee on claims.

Which motion failed to prevail.

The question being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Mackay, Stanley, Steel, and Mr. President—11.

Nays—Messrs. Carson, Cauthorn, Chandler, Dawson, Gray, Irvine, Looney, Moore, Tongue, Veatch, Wager, Wait, Watkins and Watts—14.

Absent—Messrs. Chamberlin, Cogswell, Norval, Raley, and Sinclair—5.

So the bill failed to pass.

Mr. Carson moved that the rules be suspended and house bill No. 24 be taken up and be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Fullerton, Gray, Norval and Sinclair—6.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

Mr. Carson moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Fullerton, and Norval—3.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the bill passed.

Mr. Moore moved that the rules be suspended and house bill No. 240 be taken up and read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—24.

Nays—Messrs. Barin and Wager—2.

Absent—Messrs. Chamberlin, Dawson, Gray and Norval—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Moore moved that the rules be further suspended and the bill read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Norval—2.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Moore moved a call of the senate.

The roll being called, the Senators were present except Messrs. Chamberlin and Norval (both absent on leave) and Mr. Sinclair.

Mr. Carson asked that Mr. Sinclair be excused on account of illness.

Which request was granted.

On motion of Mr. Steel, further call of the senate was dispensed with.

The question now being again stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Mackay, Moore, Raley, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—21.

Nays—Messrs. Gray, Looney, Veatch and Wager—4.

Absent—Messrs. Barin, Chamberlin, Cogswell, Norval and Sinclair—5.

So the bill passed.

Mr. Barin moved that the rules be suspended and house bill No. 67 be taken up and read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Norval, Sinclair and Wait—4.

So the rules were suspended and the bill was read a second time by title.

Mr. Tongue offered the following amendment to house bill No. 67:

Strike out all of line 15 in section 5 after the word "change" and all of lines 16, 17 and 18 of section 1, printed bill.

On motion of Mr. Tongue, the foregoing amendment was adopted.

Mr. Barin moved that the rules be further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Fullerton, Norval, Sinclair and Wait—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Looney, Mackay, Moore, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Dawson, Hamilton, Irvine, Norval, Sinclair, Steel and Watkins—9.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
Salem, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 133.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 133 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 208, to fix the terms of the circuit court for the seventh judicial district.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 208 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 97.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 97 was ordered enrolled.

Mr. Tongue introduced the following resolution which, on his motion, was adopted :

SENATE RESOLUTION NO. 30.

*Resolved,* That the roll of the senate be called and that as each Senator's name is called he shall be permitted to select one bill and place it on its final passage, and for that purpose he shall be permitted to move to suspend the rules when necessary. When roll call is completed it shall be again called the reverse way for the same purpose.

On motion of Mr. Watts, the senate adjourned.

## EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chamberlin and Norval, both absent on leave.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house is now ready to receive the senate in joint convention.

J. T. GREGG,  
Chief Clerk.

The time having arrived for the senate to meet the house of representatives in joint convention, pursuant to senate concurrent resolution No. 11, the senate repaired to the hall of the house of representatives.

## IN JOINT CONVENTION.

The senate having entered the hall of the house of representatives, the convention was called to order by the President of the Senate.

The roll of the senate was called by the Chief Clerk of the Senate.

All the Senators were present except Messrs. Chamberlin and Norval.

The roll of the house was called by the Chief Clerk of the House.

All the Representatives were present except Messrs. Hunter and Labrie.

By order of the President, the Chief Clerk of the Senate read senate joint resolution No. 11, containing the purpose for which the joint convention had met.

The President announced that nominations for Librarian were in order.

Mr. Barin placed in nomination Mr. J. B. Putnam of Marion county.

There being no further nominations, nominations were ordered closed.

The roll was called and those voting for Mr. Putnam were:

Messrs. Apperson, Armstrong, Barin, Bean, Belknap, Blundell, Bowditch, Carson, Cauthorn, Chandler, Cogswell, Condon, Crook, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Gambee, Geer, Gilbert, Gilliam, Goodnough, Gray, Hahn, Hamilton, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Irvine, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Miller of Jackson, Moore F. A., Moore J. C., Morelock, Myers, Napton, Northup, Paquet, Parker, Paulsen, Pope, Powell, Price, Raley, Ricker, Roberts, Roe, Short, Sinclair, Stafford, Stanley, Steel, Strowbridge, Thomas, Thompson, Tongue, Veatch, Wager, Wait, Waldo, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, and Mr. President—83.

Absent or not voting:

Messrs. Chamberlin, Crosno, Hunter, Labrie, Miller of Linn, Moss and Norval—7.

Mr. J. B. Putnam having received 83 votes, a majority of the members of the joint convention, was by the President declared elected State Librarian for the ensuing two years.

The next order of business being the election of three Pilot Commissioners, the President announced that nominations for three Pilot Commissioners were in order.

Mr. Barin placed in nomination L. Wilson of Clatsop county, A. Montgomery of Clatsop county and J. A. Brown of Clatsop county.

There being no further nominations, the roll was called and those voting for L. Wilson, A. Montgomery and J. A. Brown were:

Messrs Apperson, Armstrong, Barin, Bean, Belknap, Blundell, Carson, Condon, Crook Crosno, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Geer, Gilbert, Gillham, Goodnough, Gray, Hahn, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Irvine, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Moore, F. A., Moore, J. C., Northup, Pacquet, Parker, Paulsen, Pope, Powell, Raley, Ricker, Roberts, Roe, Short, Sinclair, Stafford, Steel, Strowbridge, Thomas, Thompson, Tongue, Wait, Waldo, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, and Mr. President—70.

Those voting blank were:

Messrs. Bowditch, Cauthorn, Chandler, Cogswell, Gambee, Hamilton, Miller of Jackson, Miller of Linn, Morelock, Moss, Myers, Napton, Price, Stanley, Veatch and Wager—16.

Absent—Messrs. Chamberlin, Hunter, Labrie and Norval—4.



L. Wilson, A. Montgomery and J. A. Brown having received 70 votes, the same being a majority of all the votes cast, were by the President declared duly elected Pilot Commissioners for the ensuing two years.

The next order of business being the election of three Railroad Commissioners, the President declared nominations in order for three Railroad Commissioners.

Mr. Barin placed in nomination J. P. Faull of Baker county, G. W. Colvig of Jackson county, and Robert Clow of Polk county.

There being no further nominations, the roll was called and those voting for Mr. Faull were:

Messrs. Apperson, Armstrong, Barin, Bean, Belknap, Blundell, Carson, Condon, Crook, Crosno, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Geer, Gilbert, Gillham, Goodnough, Gray, Hahn, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Moore, F. A., Moore, J. C., Northup, Paquet, Parker, Paulsen, Pope, Powell, Ricker, Roberts, Roe, Short, Sinclair, Stafford, Steel, Strowbridge, Thomas, Thompson, Tongue, Wait, Waldo, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, Mr. President—68.

Those voting blank or not voting were:

Messrs. Bowditch, Cauthorn, Chandler, Cogswell, Gambee, Hamilton, Irvine, Miller of Jackson, Miller of Linn, Morelock, Moss, Myers, Napton, Price, Raley, Stanley, Veatch and Wager—18.

Absent—Messrs. Chamberlin, Hunter, Labrie and Norval—4.

Those voting for Mr. Colvig were:

Messrs. Apperson, Armstrong, Barin, Bean, Belknap, Blundell, Carson, Condon, Crook, Crosno, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Geer, Gilbert, Gillham, Goodnough, Gray, Hahn, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Moore, F. A., Moore, J. C., Northup, Paquet, Parker, Paulson, Pope, Powell, Ricker, Roe, Short, Sinclair, Stafford, Steel, Strowbridge, Thomas, Thompson, Tongue, Wait, Waldo, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, Mr. President—67.

Those voting blank or not voting were:

Messrs. Bowditch, Cauthorn, Chandler, Cogswell, Gambee, Hamilton, Irvine, Miller of Jackson, Miller of Linn, Morelock, Moss, Myers, Napton, Price, Raley, Roberts, Stanley, Veatch and Wager—19.

Those voting for Mr. Clow were:

Messrs. Apperson, Armstrong, Barin, Bean, Belknap, Blundell,

Carson, Cauthorn, Chamberlin, Chandler, Cogswell, Condon, Crook, Crosno, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Geer, Gilbert, Gilliam, Goodnough, Gray, Hahn, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Moore F. A., Moore J. C., Northup, Paquet, Parker, Paulsen, Pope, Powell, Ricker, Roe, Short, Sinclair, Steel, Strowbridge, Thomas, Thompson, Tongue, Veatch, Wager, Wait, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, and Mr. President—65.

Those voting for Mr. T. G. Hendricks of Lane were:

Messrs. Stafford and Waldo—2.

Those voting blank or not voting were:

Messrs. Bowditch, Cauthorn, Chandler, Cogswell, Gambee, Hamilton, Irvine, Miller of Jackson, Miller of Linn, Morelock, Moss, Myers, Napton, Price, Raley, Roberts, Stanley, Veatch and Wager—19.

Absent—Messrs. Chamberlin, Hunter, Labrie and Norval—4.

J. P. Faull, G. W. Colvig and Robert Clow having received a majority of all the votes cast, were declared duly elected Railroad Commissioners for the ensuing two years.

The next order of business being the election of three Fish Commissioners, the President declared nominations in order.

Mr. Barin placed in nomination E. P. Thompson of Multnomah county, F. C. Reed of Clatsop county, and R. C. Campbell of Clatsop county.

There being no further nominations, the roll was called and those voting for E. P. Thompson, F. C. Reed and R. C. Campbell were:

Messrs. Apperson, Armstrong, Barin, Bean, Belknap, Blundell, Bowditch, Carson, Cogswell, Condon, Crook, Crosno, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Gambee, Geer, Gilbert, Gilliam, Goodnough, Gray, Hahn, Hamilton, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Miller of Jackson, Moore F. A., Moore J. C., Morelock, Moss, Napton, Northup, Paquet, Parker, Paulsen, Pope, Powell, Price, Raley, Ricker, Roberts, Roe, Short, Sinclair, Stafford, Steel, Strowbridge, Thomas, Thompson, Tongue, Wait, Waldo, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, and Mr. President—78.

Those voting blank or not voting were:

Messrs. Cauthorn, Chandler, Irvine, Miller of Linn, Myers, Stanley, Veatch and Wager—8.

Absent—Messrs. Chamberlin, Hunter, Labrie and Norval—4.

E. P. Thompson, F. C. Reed and R. C. Campbell having received a majority of the votes cast, were declared by the President duly elected Fish Commissioners for the ensuing two years.

The next order of business being the election of one Boatman, the President declared nominations in order.

Mr. Barin placed in nomination G. W. Dench of Clatsop county.

There being no further nominations, the roll was called and those voting for Mr. Dench were:

Messrs. Apperson, Armstrong, Barin, Bean, Belknap, Blundell, Carson, Cogswell, Condon, Crook, Crosno, Dawson, Derby, Dimick, Eakin, Earhart, Fell, Fisher of Polk, Fisher of Multnomah, Fullerton, Gambee, Geer, Gilbert, Gillham, Goodnough, Gray, Hahn, Harrington, Haskell, Hatch, Hilton, Howard, Hume, Jennings, Kirk, Ladd, Laughlin, Layman, Looney, Mackay, Maxwell, McCoy, Moore, F. A., Moore, J. C., Northup, Paquet, Parker, Paulsen, Pope, Powell, Raley, Ricker, Roberts, Roe, Short, Sinclair, Stafford, Steel, Strowbridge, Thomas, Thompson, Tongue, Wager, Wait, Waldo, Watkins, Watts, Weed, Williamson, Wilson, Mr. Speaker, Mr. President—72.

Those voting for Mr. Gray were:

Messrs. Bowditch, Cauthorn, Chandler, Hamilton, Irvine, Moss, Napton and Price—8.

Mr. Veatch voted for Mr. Leinenweber.

Those voting blank or not voting were:

Messrs. Miller of Jackson, Miller of Linn, Morelock, Myers and Stanley—5.

Absent—Messrs. Chamberlin, Hunter, Labrie and Norval—4.

Mr. Dench having received a majority of all the votes cast, was declared by the President duly elected Boatman for the ensuing two years.

On motion of Mr. Thompson, the joint convention dissolved and the senate returned to the senate chamber.

#### IN THE SENATE.

The senate having returned to the senate chamber, was called to order by President Simon.

House bill No. 12 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair,

Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—Messrs. Fullerton, Raley and Tongue—3.

Absent—Messrs. Barin, Chamberlin, Chandler, Hamilton, Norval and Stanley—6.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. Speaker:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 15, 108 and 141 beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 111.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 111 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 61.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 61 was ordered enrolled.

The senate now proceeded to consider house bills pursuant to senate resolution No. 30.

The name of Mr. Barin being called, he selected as his choice house bill No. 63.

House bill No. 63 coming on for a second reading, Mr. Barin moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chamberlin and Norval—3.

So the rules were suspended and the bill read a second time by title.

Mr. Cauthorn moved to amend by striking out section 15, which motion prevailed and the amendment was adopted.

Mr. Tongue offered the following amendment to house bill No. 63:

Amend by striking out section 14 and in lieu thereof insert: Section 14. Chapter 36 of the miscellaneous laws of the State of Oregon, as compiled and annotated by W. Lair Hill, is hereby repealed.

On motion of Mr. Tongue, the foregoing amendment was adopted.

Mr. Cogswell offered the following:

I move to amend section 4 by inserting the word "knowingly" after the word "whosoever" in line 1 of said section.

A vote being taken on the adoption of the foregoing amendment, the senate refused to adopt the same.

House bill No. 63 coming on for the third reading, Mr. Barin moved that the rules be further suspended and the bill be the third read time by title now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Norval and Stanley—3.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Stanley and Wager—2.

Absent—Messrs. Chamberlin, Fullerton, Irvine, Norval and Veatch—5.

So the bill passed.

The name of Mr. Carson being called, pursuant to senate resolution No. 30, he selected house bill No. 32.

House bill No. 77 coming on for a second reading, Mr. Carson moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hatch, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Fullerton, Hamilton, Irvine, Norval, Stanley and Steel—8.

So the rules were suspended and the bill was read a second time by title and Mr. Gray moved to refer it to the committee on judiciary.

Mr. Carson moved a call of the senate.

The roll being called, all the Senators were present, except Messrs. Barin, Cauthorn, Chamberlin (absent on leave), Hamilton, Norval (absent on leave), Raley, Sinclair, Stanley and Steel.

The Sergeant-at-Arms was instructed to notify absent Senators to appear within the bar of the senate.

Messrs. Cauthorn, Sinclair and Stanley having appeared, further proceeding under the call, on motion of Mr. Veatch, were dispensed with.

The question now recurring on the motion to refer to the committee on judiciary, the ayes and nays were called for by Messrs. Watts, Carson and Hatch.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Chandler, Cogswell, Eakin, Fullerton, Gray, Sinclair, Stanley, Veatch and Wager—9.

Nays—Messrs. Carson, Cauthorn, Dawson, Dimick, Hatch, Hilton, Irvine, Looney, Mackay, Wait, Watkins, Watts, and Mr. President—13.

Absent—Messrs. Barin, Chamberlin, Hamilton, Moore, Norval, Raley, Steel and Tongue—8.

So the motion to refer to the judiciary committee was lost.

Mr. Gray submitted the following amendments :

After the word "vessel" in the fourth line of section 4, of the printed bill, insert the following: "or if any such officer or officers, agent or consignee shall enter into any agreement or combination with said persons that shall entice, persuade or by any other means attempt to persuade any seaman to desert, or if any agent, consignees or other persons shall enter into any combination to pay any bounty or blood money to any person to secure their services, or to entice or persuade them away from such ship."

Mr. Gray moved to adopt the foregoing amendments.

Mr. Watts moved a call of the senate.

The roll being called all the Senators were present except Messrs. Chamberlin (absent on leave), Fullerton, Hamilton, Norval (absent on leave), Raley, Sinclair and Steel.

On motion of Mr. Cogswell, further proceedings under the call were dispensed with.

The question now recurring again on the adoption of the amendments offered by Mr. Gray, the ayes and nays were called for by Messrs. Watts, Carson and Hatch.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Eakin, Fullerton, Gray, Hilton, Stanley, Tongue, Veatch and Wager—11.

Nays—Messrs. Carson, Cauthorn, Dawson, Dimick, Hatch, Irvine, Looney, Mackay, Wait, Watkins, Watts, and Mr. President—12.

Absent—Messrs. Chamberlin, Hamilton, Moore, Norval, Raley, Sinclair and Steel—7.

So the senate refused to adopt said amendments.

Mr. Fullerton submitted the following amendment :

I move to strike out section 6 of house bill No. 32 as printed.

Mr. Veatch moved to adjourn.

On this motion the ayes and nays were called for by Messrs. Dimick, Watkins and Tongue.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Dawson, Dimick, Gray, Hilton, Sinclair, Stanley and Wager—7.

Nays—Messrs. Carson, Chandler, Cogswell, Eakin, Fullerton, Hatch, Irvine, Looney, Mackay, Raley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—16.



Absent—Messrs. Barin, Cauthorn, Chamberlin, Hamilton, Moore, Norval and Steel—7.

So the senate refused to adjourn.

Mr. Tongue moved the previous question, seconded by Mr. Dimick.

The question being, "Shall the main question be now put?" it was so ordered by the senate.

The main question being now stated, "Shall the amendment introduced by Mr. Fullerton be adopted?" and a vote being taken, the senate refused to adopt said amendment.

Mr. Gray now submitted the following amendment:

In section 4, line 4, after the word "vessel" insert "or any officer, agent or consignee."

Mr. Gray moved to adopt the above amendment.

Which motion was lost.

Mr. Carson moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

¶ Messrs. Carson, Chandler, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—Mr. Gray.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Cogswell, Fullerton, Hamilton, Moore and Norval—8.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—20.

Nays—Messrs. Fullerton, Gray, Stanley, Veatch and Wager—5.

Absent—Messrs. Barin, Chamberlin, Cogswell, Hamilton and Norval—5.

So the bill passed.

Mr. Watts moved to amend the title by substituting the following:

Title for house bill No. 32: A bill for the prevention of and punishment for enticing or harboring seamen from ships and other vessels in the waters of the Columbia and Willamette rivers, or for arresting officers or seamen on such vessels, and to amend sections 1952 and 1953 of Hill's annotated laws of Oregon.



Which motion prevailed, and the title to house bill No. 32 was ordered amended as above stated.

On motion of Mr. Tongue, it was ordered that when the senate adjourns it adjourn to meet at 9 o'clock to-morrow morning.

On motion of Mr. Carson, the senate adjourned.

JOHN H. SHUPE,  
Chief Clerk.

FRIDAY, FEBRUARY 22, 1889.

MORNING SESSION.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Chamberlin, Hatch, Norval, Raley, Sinclair and Steel.

On motion of Mr. Watts, the reading of the journal of yesterday was dispensed with.

By request of Mr. Carson, it was ordered that Mr. Steel be excused from attendance to-day on account of illness.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 108, 141 and 15.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 108, senate bill No. 141, and senate bill No. 15, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 106 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 106, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 198, senate joint resolution No. 10, senate bill No. 1, senate bill No. 129 and senate bill No. 118.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 95.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 198, senate bill No. 1, senate bill 129, senate bill No. 95, senate bill No. 118, and also senate joint resolution No. 10, and shortly afterwards stated that he had signed the same.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 47, 22, 146, 208, 9 and 6, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to request the consent of the honorable senate to receive house bill No. 242, relating to the incorporation of the city of La Grande.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

On motion of Mr. Chandler, the request contained in the foregoing message was granted, and the clerk instructed to notify the house thereof.

Mr. Dimick introduced the following resolution:

## SENATE RESOLUTION NO. 31.

WHEREAS, It is currently reported that a certain Senator on this floor has demanded and received a money consideration for his support of house bill No. 221, the same being a bill for the relief of Mrs. N. J. McPherson and minor children; therefore be it

*Resolved,* That there be a committee of three Senators appointed by the chair to investigate the same and report to this senate as early as possible, and that the said committee have power to send for persons and papers, examine witnesses and administer oaths.

J. B. DIMICK.

On motion of Mr. Dimick, the foregoing senate resolution No. 31 was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 7, 145, 39, 26, 24, 50, 4, 155, 102, 17, 84, have been reported as correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 7, house bill No. 145, house bill No. 39, house bill No. 26, house bill No. 24, house bill No. 50, house bill No. 84, house bill No. 4, house bill No. 155, house bill No. 102, house bill No. 17, and shortly afterward stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 28 and house joint resolution No. 12 have been reported correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 28 and house joint resolution No. 12, and shortly afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 199 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 18, 12 and 240 have been reported as correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 223, 83 and 59 have been reported as correctly enrolled, that he has signed them.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 199, house bill No. 240, house bill No. 18, house bill No. 12, house bill No. 223, house bill No. 83 and house bill No. 59, and shortly afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 91 with amendment thereto attached.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

House amendment to senate bill No. 91 :

Strike out section 1 and insert in lieu thereof the following :  
Section 1. That on the first Monday in June, 1890, the legal voters of Gilliam county, State of Oregon, shall vote upon the question of permanently locating the county seat of said Gilliam county. The poll books for said election shall be ruled and prepared so as to provide a sufficient number of columns for recording and counting all the votes cast for permanently locating the county seat of said Gilliam county, and the election provided for by this Act shall be deemed and made a part of the general election in Gilliam county in the year 1890. That the word "special" be stricken out of the bill wherever it occurs and insert the word "general." Amend section 5 by striking out the date September 1, 1889, and insert in lieu thereof the date October 1, 1890.

On motion of Mr. Hilton, the amendment accompanying senate bill No. 91 was adopted.

Senate bill No. 91 was ordered enrolled.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following :

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 21, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 133, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 29.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 29 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 8.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 8 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 242, to amend an Act incorporating the city of La Grande.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 242, accompanying the foregoing message, coming on for a first reading, Mr. Dawson moved that the rules be suspended and the bill be read a first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Norval, Raley, Sinclair, Stanley, Steel and Wager—9.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Watts moved that the rules be further suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Hilton, Norval, Raley, Sinclair and Steel—7.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

House bill No. 242 coming on for the third reading, Mr. Watts moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Fullerton, Norval, Raley and Steel—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Dimick, Fullerton, Norval, Raley and Steel—8.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 65.



And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 65 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 153.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 153 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 82.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 82 was ordered enrolled.

The President announced that he had appointed on the committee by virtue of senate resolution No. 31, Messrs. Carson, Barin and Stanley.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 21, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed house bill No. 241, a bill for an Act providing the general and specific appropriations for the support of the State government.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House bill No. 241 coming on for a first reading, Mr. Carson moved that the rules be suspended and the bill be read the first time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Dimick, Norval, Raley, Stanley and Steel—7.

So the rules were suspended and the bill was read the first time by title and passed to a second reading without question.

Mr. Carson moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Chamberlin, Dawson, Dimick, Moore, Norval, Raley, Stanley and Steel—8.

So the rules were suspended and the bill was read a second time by title.

At the request and by unanimous consent house bill No. 241 was ordered to be considered section by section.

Mr. Cogswell offered the following amendment:

Amend by striking out "\$1,000" in line 12, section 1, and inserting "\$2,000."

On motion of Mr. Cogswell, the foregoing amendment was adopted.

Mr. Tongue moved to adopt the following amendment:

Amend by adding after the word "dairy" in line 20, section 2, printed bill, the words, "and food."

Which motion prevailed, and it was so ordered.

Mr. Wager moved to adopt the following amendment:

Amend line 61 of section 3 by striking out "\$30,000" and inserting \$20,000.

The senate refused by vote to adopt the above amendment.

Mr. Chandler moved to adopt the following amendment:

Amend by striking out line 23, section 2, printed bill, "for pay of Fish Commissioners."

A vote being taken on the adoption of the above amendment, the senate refused to so amend the bill.

Mr. Carson submitted the following amendment:

Amend by inserting in line 85, "for pay of M. P. Deady for balance due him as referee in State cases in 1880, the sum of \$866.67."

Mr. Carson moved the adoption of the foregoing amendment.

On this question the ayes and nays were called for by Messrs. Veatch, Irvine and Looney.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Dawson, Eakin, Hamilton, Hilton, Mackay, and Mr. President—9.

Nays—Messrs. Dimick, Gray, Hatch, Irvine, Looney, Raley, Sinclair, Stanley, Veatch, Wait, Watkins and Watts—12.

Absent—Messrs. Barin, Chamberlin, Cogswell, Fullerton, Moore, Norval, Steel, Tongue and Wager—9.

So the senate refused to adopt Mr. Carson's amendment.

Mr. Wager offered and moved the adoption of the following amendment:

Amend by inserting in line 69, page 4, after the word "heating," the words "electric lights."

Which motion prevailed, and the amendment was ordered adopted.

Mr. Tongue offered and moved the adoption of the following amendment:

Add the words "and circuit" in line 2 of section 3 after the word "supreme" of printed bill.

Which motion prevailed, and the amendment ordered adopted.

Mr. Wager offered and moved the adoption of the following amendment:

In line 6 of section 11 strike out "\$60" and insert "\$75."

Which motion failed to prevail.

Mr. Tongue offered and moved the adoption of the following amendment:

Strike out "\$300" in line 8, section 12, of printed bill, and insert "\$800."

Which the senate refused to adopt.

Mr. Carson moved that the rules be suspended and the bill be read a third time by title now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Veatch, Wager, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Gray, Norval, Steel, Tongue and Wait—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Wait, Watkins, Watts, and Mr. President—23.

Nays—Messrs. Irvine and Veatch—2.

Absent—Messrs. Chamberlin, Gray, Norval, Steel and Wager—5.  
So the bill passed.

#### MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,  
SALEM, Oregon,  
February 22, 1889.

*To the Honorable, the Senate of the State of Oregon :*

On February 21, 1889, L. L. McArthur, of Portland, Oregon, was appointed regent of the university of Oregon. I respectfully desire his confirmation.

SYLVESTER PENNOYER,  
Governor.

On motion of Mr. Eakin, the appointment of Hon. L. L. McArthur was confirmed by the following vote:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Veatch, Wait, Watkins, Watts and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Gray, Norval, Steel and Wager—5.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 172.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 172 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bills Nos. 194 and 196.

And the same are herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 194 and senate bill No. 196 were ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has adopted house joint resolution No. 13, authorizing the Secretary of State to take proper and necessary steps to improve the acoustic properties of the hall of the house of representatives.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House joint resolution No. 13 accompanying the foregoing message was read, and Mr. Dawson moved to concur therein.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Hamilton, Norval, Sinclair and Steel—5.

So house joint resolution No. 13 was concurred in.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 135 has been reported as correctly enrolled, and that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 9, 146, 6, 208, 22, 47, 133 and senate joint resolution No. 10.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 135, senate bill No. 9, senate bill No. 47, senate bill No. 146, senate bill No. 6, senate bill No. 133, senate bill No. 22, senate bill No. 208 and senate joint resolution No. 10, and shortly afterwards stated that he had signed the same.

On motion of Mr. Irvine, the courtesies of the senate were extended to Hon. T. J. Black of Linn county, and he was provided with a seat within the bar of the senate.

## MESSAGE FROM THE HOUSE

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 88.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 88 was ordered enrolled.

Mr. Cauthorn's name being called by virtue of senate joint resolution No. 30, selected house bill No. 147.

House bill No. 147 coming on for a second reading, Mr. Cauthorn moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Dimick, Gray, Norval, Sinclair, Steel and Wager—8.

So the rules were suspended and the bill was read a second time by title and passed to the third reading.

Mr. Cauthorn moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watta, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Dimick, Norval and Steel—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Fullerton, Gray, Norval, Steel and Wager—6.

So the bill passed.

Mr. Chamberlin's name being called by virtue of senate resolution No. 30, Mr. Dimick, for and on behalf of Mr. Chamberlin, selected house bill No. 137.

House bill No. 137 was read a second time and passed to a third reading without a question.

Mr. Dimick moved that the rules be suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Gray, Hatch, Moore, Norval and Steel—7.

So the rules were suspended, and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Raley, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Gray, Hatch, Norval, Sinclair and Steel—9.

So the bill passed.

The name of Mr. Cogswell being called by virtue of senate resolution No. 30, he selected house bill No. 121.

House bill No. 121 coming on for a second reading, Mr. Cogswell moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick,



Eakin, Hamilton, Hilton, Irvine, Looney, Moore, Raley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Fullerton, Gray, Hatch, Mackay, Norval, Sinclair, Stanley and Steel—10.

So the rules were suspended and the bill was read a second time by title.

Mr. Hilton submitted the following:

I move to amend house bill No. 121 as follows: To strike out the words "the public lands or upon" in line 4, section 1, printed bill.

And strike out all after the word "otherwise" in line 12, section 1; and strike out all before the word "while" in line 13, section 1, printed bill.

Mr. Raley moved that the further consideration of the bill be indefinitely postponed.

Which motion failed to prevail.

Mr. Tongue moved the previous question, seconded by Mr. Raley.

The question being stated, "Shall the main question be now put?" it was so ordered by the senate.

The President now stated the main question, "Shall the amendments offered by Mr. Hilton be adopted?"

On this question the ayes and nays were called for by Messrs. Chandler, Cogswell and Gray.

The roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Dawson; Dimick, Eakin, Hilton, Looney, Mackay, Moore, Raley, Sinclair, Tongue, Wager, Watkins, Watts, and Mr. President—17.

Nays—Messrs. Chandler, Cogswell, Gray, Hamilton, Irvine, Stanley and Wait—7.

Absent—Messrs. Chamberlin, Fullerton, Hatch, Norval, Steel and Veatch—6.

So the amendment was ordered adopted.

On motion of Mr. Cogswell, the further consideration of house bill No. 121 was indefinitely postponed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has

concurred in senate amendments to house bill No. 241, except the one proposed by Mr. Tongue, which reads, amend by adding after "dairy" in line 30, section 2, printed bill, the words, "and food." The house has amended the foregoing amendment by striking out "30" and inserting "20" in lieu thereof.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The house amendment to the amendment presented by Mr. Tongue in the senate, inserting the figures "20" instead of "30" as reported from the senate was, on motion of Mr. Tongue, consented to and the clerk ordered to so inform the house.

On motion of Mr. Carson, the senate adjourned.

#### AFTERNOON SESSION.

The senate met at the usual hour and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Chamberlin and Steel.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 165, 194, 97, 82, 65 and 88, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill 125.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 125 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 179.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 179 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 41.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 41 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 67 and 147 have been reported correctly enrolled, that he has signed them.

And the same are herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 67 and house bill No. 147, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 37.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 37 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill 107.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 107 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house joint resolution No. 13 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 63 has been correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 63 and house joint resolution No. 13, and shortly afterwards stated that he had signed the same.

Mr. Chandler's name now being called by virtue of senate resolution No. 30, he selected house bill No. 230.

House bill No. 230 coming on for a second reading, Mr. Chandler moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Eakin, Hilton, Stanley and Steel—7.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

House bill No. 230 coming on for the third reading, Mr. Chandler moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Steel and Watkins—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Wager, Watkins, and Mr. President—18.

Nays—Messrs. Dawson, Dimick, Hilton, Irvine, Looney, Veatch, Wait and Watts—8.

Absent—Messrs. Chamberlin, Eakin, Hatch and Steel—4.

So the bill passed.

Mr. Watkins now moved to reconsider the vote by which house bill No. 203 failed to pass.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Cogswell, Eakin, Fullerton, Hamilton, Hilton, Moore, Norval, Raley, Sinclair, Stanley, Watkins, Watts, and Mr. President—16.

Nays—Messrs. Cauthorn, Dawson, Dimick, Gray, Irvine, Looney, Veatch and Wager—8.

Absent—Messrs. Chamberlin, Hatch, Mackay, Steel, Tongue and Wait—6.

So it was ordered that said vote be reconsidered.

The question being now stated, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Carson, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Sinclair, Stanley, Tongue, Watkins, Watts, and Mr. President—17.

Nays—Messrs. Cauthorn, Dawson, Dimick, Eakin, Irvine, Looney, Raley, Veatch and Wager—9.

Absent—Messrs. Barin, Chamberlin, Steel and Wait—4.

So the bill passed.

Mr. Wager introduced the following resolution :

SENATE RESOLUTION NO. 32.

*Resolved by the Senate,* That the senate resolution No. 30, by which Senators were to be permitted to each call up a bill under roll call in alphabetical order, be now amended so as to allow the roll call to begin with the middle name upon the roll, namely, the name of Senator Norval, and proceed thereafter both up and down the roll, the names to be called in their order both ways, first downward toward the last name on the roll, and next upward toward the first name of the list.

On motion of Mr. Wager, the foregoing amendment was adopted.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill 137.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 137 was ordered enrolled.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 154 with an amendment thereto attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

The amendment accompanying the foregoing message was read and is as follows:

Amend section 1, line 2, as per printed bill, by striking out "fifteen" and inserting "six."

On motion of Mr. Sinclair, the foregoing amendment was concurred in, and the bill ordered enrolled.

Mr. Norval's name being called by virtue of senate resolution No. 32, he selected house bill No. 164.

House bill No. 164 coming on for a second reading, Mr. Norval moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—28.

Nays—None.

Absent—Messrs. Chamberlin and Steel—2.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 164 coming on for the third reading, Mr. Norval moved that the rules be suspended and the bill be read the third time now, and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Sinclair, Steel and Wager—4.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Chandler, Cogswell, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, and Mr. President—19.

Nays—Messrs. Dawson, Dimick, Eakin, Irvine, Looney, Veatch, and Watts—7.

Absent—Messrs. Barin, Carson, Chamberlin and Sinclair—4.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 29, 111 and 196, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 202.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 202 was ordered enrolled.

Mr. Raley's name being called pursuant to senate resolution No. 32, selected house bill No. 104.

House bill No. 104 coming on for a second reading, Mr. Raley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Raley, Stanley, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Irvine, Fullerton, Norval and Sinclair—7.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Tongue submitted the following amendment:

Amend section 1 by striking out the words "one-seventh" in line 1 of section 1 of printed bill and add the word "one-tenth."

Mr. Tongue moved the adoption of the above amendment.

Mr. Sinclair moved the previous question, seconded by Mr. Carson.

The question now being, "Shall the main question be now put?" it was so ordered by the senate, and the President stated, "Shall the amendment of Mr. Tongue be adopted?"

A vote being taken the same failed to be adopted.

House bill No. 104 coming on for the third reading, Mr. Eakin moved that the rules be suspended and the bill be read the third time by title now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Hatch and Stanley—3.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Eakin, Fullerton, Gray, Hamilton, Irvine, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Watkins, Watts, and Mr. President—20.

Nays—Messrs. Dawson, Dimick, Hilton, Looney, Moore, Tongue and Wait—7.

Absent—Messrs. Chamberlin, Hatch and Wager—3.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889.

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 64.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 64 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 20, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 20.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 20 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 173 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 88, 194, 82, 65, 97 and 165.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 29, 196 and 111.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 32 and 137 have been reported correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 173, senate bill No. 165, senate bill No. 88, senate bill No. 194, senate bill No. 82, senate bill No. 65, senate bill No. 97, senate bill No. 196, senate bill No. 111, senate bill No. 29, house bill No. 32 and house bill No. 137, and shortly afterwards stated that he had signed the same.

Mr. Cauthorn introduced the following resolution:

SENATE CONCURRENT RESOLUTION NO. 12.

WHEREAS, The joint committee of the legislature appointed to examine the accounts of the State Printer has approved the action of Hon. R. P. Earhart and of Hon. Geo. W. McBride, while acting as Secretary of State, in providing suitable rooms and other conveniences in the capitol building for the State printing office; and,

WHEREAS, The establishment of such office in the capitol has promoted the convenience of the legislature while in session and of the several State departments during the recess thereof; therefore, be it

*Resolved by the Senate, the House concurring:*

That the action of the Secretary of State as custodian of the State capitol in providing said rooms and lights, fuel and water for the State printing office is hereby approved, and the Secretary of State is instructed to continue the same.

Senate concurrent resolution No. 12 was, on motion of Mr. Cauthorn, adopted.

On motion of Mr. Irvine, the courtesies of the senate were extended to Rev. J. L. Parrish, and he was invited to a seat within the bar of the senate.

Mr. Fullerton, chairman of the committee on public lands, submitted, by unanimous consent, the following:

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

Your committee on public lands, to whom senate resolution No. 15, introduced by Mr. Irvine, was referred, beg leave to submit the following report:

That we have carefully examined the applications to purchase State lands made between the 1st of February, 1887, and the present time, in accordance with the above resolution.

That the certificates and deeds to State lands have been duly made by the board of school land commissioners in accordance with the interpretation of the law by the supreme court.

That the papers and records of the office of the board of school land commissioners are neatly kept and systematically arranged.

That we believe a large quantity of school land has been deeded to non-residents of the State of Oregon, for which the present board are in no way responsible.

That we believe that of the thousands of acres of school land which has been disposed of during the last two years by said board much of it is valuable timber lands. From the large school land sales in the last two years it is very evident that said lands are getting into the hands of land speculators.

We recommend the early passage of an Act that school land shall be sold to actual settlers only.

We further recommend that a law be enacted that no deed for State land shall contain more than three hundred and twenty acres to any one individual, and that deeds for more than three hundred and twenty acres of State land shall not be made to any one individual.

J. C. FULLERTON,  
Chairman.

	Applicant.	Assignee.	Residence.	Remarks.
	W. N. Saunders		Josephine	Affidavit made before local agent.
	Tim Mayhew	George Couter	Wasco	
	Jacob S. Hardisty		Josephine	Affidavit made before local agent.
	A. A. Campbell		Klamath	No seal of notary.
	J. C. Boyd		Josephine	Affidavit made before local agent.
3114	J. R. Martin	W. C. Hale	Klamath	
2891	Margaret D. Bridges	J. W. Gilman et al	Gilliam	
2992	W. I. Nichols	J. W. Hamaker	Klamath	
2748	J. C. Johnson	Rufus S. Moore	Klamath	
3368	T. T. McKenzie	Elizabeth A. Klippel	Jackson	
2774	S. N. Johnston	G. O. Moen	Clatsop	
3320	Jas. Murphy	J. M. Morton	Klamath	
		Louis Sloss, Jr	San Francisco	
3279	G. H. Crow	Rienzi Hughes	Klamath	
		F. B. Hutting	Klamath	
3316	C. E. Bratton	Rienzi Hughes	Klamath	
		Mary C. Hughes	Klamath	
3322	R. F. High	Rienzi Hughes	Klamath	
3314	H. Little	J. M. Morton	San Francisco	
3317	Jas. Stephens	Rienzi Hughes	Klamath	
		Katie Hughes	Klamath	
3370	J. R. Cunningham	W. H. Mills	Klamath	
3278	Scott Morris	Wm. S. Hughes	Klamath	
		J. M. Morton	Klamath	
3318	John Kelly	Wm. E. Stevens	San Francisco	
		J. M. Morton	Klamath	
3315	M. Churchill	G. Neibbaum	San Francisco	
		L. L. & M. G. Kinney		
2802	Beecher Stiers	M. Franctabick	Clatsop	
3603	Geo. Christensen		Lake	Affidavit made before justice of the peace.
2985	John Ennis	Anna R. Gillis	Klamath	
2986	Jas. McNeil	H. B. Gillis	Klamath	
3014	W. H. Fee	David Hern	Klamath	
3015	Lew. J. Hebbning	John E. Hannan	Klamath	
2993	R. W. Moore	Anna H. Baggett	Klamath	
3385	L. H. Morgan	R. W. Farmer	Yamhill	
3441	Geo. S. Rhodes	John N. Vance	Malheur	
3624	Emily Warriner	Emma L. Bridgeford	Tillamook	
3219	W. T. Crane	Jas. M. Davidson	Klamath	
3408	Moses Marney	C. M. Foster	Baker	
3329	J. D. Hamaker	Winslow Bayley	Klamath	
3013	W. Bayley	H. B. Gillis	Klamath	
2983	W. Cole	H. B. Gillis	Klamath	
2984	Chas. A. Gallanon	H. B. Gillis	Klamath	
3327	Wm. Otto	H. B. Gillis	Klamath	
3245	Willard Crawford	A. F. Green	Jackson	
		W. J. Cromwell		
3241	Margaret A. Bridges	Jas. Hammell	Marion	
		W. J. Cromwell		
2892	J. H. Bridges	Jas. Hammell	Marion	
3328	J. J. Houck	H. B. Gillis	Klamath	
3099	M. T. Utley		Josephine	Affidavit made before local agent.
3205	M. J. Raines	Margaret J. Ray	Marion	
3206	Jas. R. Raines	Margaret J. Ray	Marion	
3220	Chas. Stacey	H. B. Gillis	Klamath	
3222	A. F. Kyle, Jr	H. B. Gillis	Klamath	
3218	L. Townsend	H. B. Gillis	Klamath	
3140	J. H. Hurn	H. B. Gillis	Klamath	
2808	W. C. Hale	J. C. Johnson	Klamath	
4031	August Hug	John L. Wallsinger	Union	
2928	Wm. H. Holman	Thos. Morris	Columbia	
3490	D. Wood	H. S. Ritman	Benton	
	J. W. Stewart		Josephine	Affidavit made before local agent.
	J. F. Johnson		Wallowa	Affidavit before justice of peace.
	F. N. Miller		Grant	Affidavit to cl'k Humboldt Co, Nev.
	Fred Miller, Jr		Grant	Affidavit to cl'k Humboldt Co, Nev.
	Mary E. Christensen		Tp. 39 S. 18 E	Affidavit before justice of peace.

The foregoing report was read, and on motion of Mr. Fullerton, was by the senate ordered adopted.

Mr. Wager introduced the following resolution :

SENATE RESOLUTION NO. 33.

*Resolved by the Senate,* That hereafter no Senator be allowed to speak but once on any question, and not more than two minutes on the same question, and the President of the Senate is hereby requested to enforce this resolution.

On motion of Mr. Wager, the foregoing resolution was adopted.

The name of Mr. Moore being called, pursuant to senate resolution No. 32, he selected house bill No. 170.

House bill No. 170 coming on for a second reading, Mr. Moore moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Cogswell, Hamilton, Hilton, Raley, and Veatch—7.

So the rules were suspended and the bill was read a second time by title.

Mr. Moore offered the following :

I move to amend house bill No. 170 by striking out the word "is" in line 3, section 2, and the word "hereby" in line 4 of said section of the printed bill and insert the following: "Shall file a certificate of this fact with the Secretary of State, who shall thereupon be."

In line 4, section 2, after the word "draw," insert the words "his warrant."

In line 3 of section 4 of the printed bill after the word "shall" insert the following: "file a certificate of this fact with the Secretary of State, who shall thereupon."

In line 4 of section 4 after the word "draw" insert "his warrant."

A vote being taken on the adoption of the foregoing amendments, the same were ordered adopted.

House bill No. 170 coming on for the third reading, Mr. Moore moved that the rules be suspended and the bill be read the third time now and placed on its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Chandler, Dawson, Dimick, Eakin, Gray, Hamilton, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Fullerton, Hatch, Raley, Veatch, Wager and Watts—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Gray, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, and Mr. President—18.

Nays—Messrs. Dawson, Dimick, Hatch, Irvine, and Looney—5.

Absent—Messrs. Chamberlin, Eakin, Fullerton, Hamilton, Veatch, Wager, and Watts—7.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 131.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 131 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 171.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 171 was ordered enrolled.



## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 242 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 242, and shortly afterwards stated that he had signed the same.

Mr. Sinclair's name being called, pursuant to senate resolution No. 32, he selected house bill No. 218.

House bill No. 218 coming on for a second reading, Mr. Sinclair moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Dawson, Eakin, Fullerton, Moore, Veatch, and Wager—10.

So the rules were suspended and the bill was read a second time by title.

Mr. Tongue offered the following amendment and moved its adoption:

Strike out the last three words in section 3 and add in lieu thereof the words "one and two."

The motion prevailed and the amendment was ordered adopted.

Mr. Cogswell offered the following amendment and moved its adoption:

To amend section 7 by inserting the word "concurrent" after the word "have" in line one of said section.

The motion prevailed and the amendment was ordered adopted.

House bill No. 218 coming on for the third reading, Mr. Sinclair moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chamberlin, Chandler, Cogswell, Dimick, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Dawson, Eakin, Fullerton, Moore, Veatch, and Wager—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—21.

Nays—Mr. Irvine.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Dawson, Fullerton, Stanley, Veatch, and Wager—8.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 7.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 7 was ordered enrolled.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred with the senate in senate concurrent resolution No. 12.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

Mr. Mackay's name being called, pursuant to senate resolution No. 32, he selected house bill No. 40.

House bill No. 40 coming on for a second reading, Mr. Mackay moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Veatch, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Fullerton, Irvine, and Wager—5.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 40 coming on for the third reading, Mr. Mackay moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Veatch, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Chamberlin, Fullerton, Gray, Raley, Steel, Tongue, and Wager—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Gray, Hilton, Tongue, and Wait—6.

So the bill passed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 37 and 125, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 164 has been reported correctly enrolled, that he has signed it. And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 164, and shortly afterwards stated that he had signed the same.

Mr. Stanley's name being called, pursuant to senate resolution No. 32, he selected house bill No. 15.

House bill No. 15 coming on for a second reading, Mr. Stanley moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Chandler, Gray, Hilton, Irvine, Norval, and Tongue—8.

So the rules were suspended and the bill was read a second time by title.

Mr. Fullerton offered the following amendment and moved its adoption:

Strike out all sections after section one as unnecessary and conflicting with senate bill No. 159, already passed.

The motion prevailed and the amendment was ordered adopted.

House bill No. 15 coming on for the third reading, Mr. Stanley moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Chandler, Dawson, Gray, Hilton, Sinclair, Tongue, and Veatch—9.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cogswell, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Chandler, Dawson, Fullerton, Sinclair, and Veatch—8.

So the bill passed.

On motion of Mr. Watts, it was ordered that when the senate adjourns it adjourn to meet at 7:30 o'clock this evening.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 96.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 96 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 203, 230 and 104 have been reported correctly enrolled and that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign house bill No. 203, house bill No. 230, and house bill No. 104, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has passed senate bill No. 173, with amendments thereto attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
 Chief Clerk.

The amendments accompanying the foregoing message were read and were as follows:

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President:*

Your committee on commerce, to whom was referred senate bill No. 173, by Mr. Cauthorn, beg leave to report that they have had the same under consideration, and would respectfully report it back to the house with the recommendation that it do pass with the amendment:

That the words "eighty-five" be inserted between the words

"than" and "feet" in line 4 of section 2 of the printed bill, in lieu of words "forty-five," inserted by the senate.

D. P. THOMPSON,  
Chairman.

Strike out in line 4 the word "toll" and insert "for" in line 7 after the word "bridge."

Strike out the balance of section 1.

The foregoing house amendments, on motion of Mr. Cauthorn, were concurred in.

Mr. Looney's name being called pursuant to senate resolution No. 32, he selected house bill No. 204.

House bill No. 204 coming on for a second reading, Mr. Looney moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Hilton, Stanley and Tongue—5.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

Mr. Looney moved that the rules be further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Hilton, Stanley and Tongue—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Sinclair, Steel, Veatch, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Dawson, Norval, Raley, Stanley, Tongue and Wager—8.

So the bill passed.

Mr. Carson, chairman of the special committee appointed under senate resolution No. 31, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

Your special committee on senate resolution No. 31, beg to report that, in accordance with said resolution, we have investigated the charges therein made, have examined the witness under oath, and from this evidence we find that the charges made in the resolution are not and cannot be sustained.

We therefore recommend that the further consideration of senate resolution No. 31 be indefinitely postponed.

J. C. CARSON,  
Chairman.

On motion of Mr. Carson, the report was adopted.

Mr. Steel's name being called by virtue of senate resolution No. 32, he selected house bill No. 92.

House bill No. 92 coming on for a second reading, Mr. Steel moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Dawson, Norval, Raley, Sinclair, Stanley, and Tongue—8.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 92 coming on for the third reading, Mr. Steel moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:



Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Sinclair, Steel, Veatch, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Cogswell, Moore, Raley, Stanley, and Tongue—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Cogswell, Gray, and Veatch—5.

So the bill passed.

On motion of Mr. Carson, the senate adjourned.

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### EVENING SESSION.

The senate met pursuant to adjournment and was called to order by President Simon.

The roll was called.

All the Senators were present except Messrs. Barin, Chamberlin and Veatch.

Mr. Wager introduced the following resolution:

#### SENATE CONCURRENT RESOLUTION NO. 13.

*Resolved by the Senate, the House concurring:*

That a committee of five, consisting of two on the part of the senate and three on the part of the house, be appointed to wait upon His Excellency the Governor and inform him that both houses of the legislative assembly of the State of Oregon are now ready to adjourn, and to inquire whether he has any further communications to make to the legislature.

On motion of Mr. Wager, senate concurrent resolution No. 13 was adopted.

Mr. Sinclair introduced the following resolution :

SENATE RESOLUTION NO. 34.

*Resolved*, That the courtesy of the senate be extended to the President, and that he be allowed to name two house bills to be called up and considered immediately.

On motion of Mr. Sinclair, the foregoing senate resolution No. 34 was adopted.

Mr. Dimick introduced the following resolution :

SENATE CONCURRENT RESOLUTION NO. 14.

WHEREAS, The printed reports of the State railroad commission have been exhausted by reason of the great demand from all sources within the State for them ; and,

WHEREAS, The commission will require copies of the said report for general distribution and exchange purposes ; therefore, be it

*Resolved by the Senate, the House concurring :*

That the Secretary of State be and he is hereby authorized and directed to cause to be printed one thousand copies of the report of the State railroad commission and deliver the same to the said commission, who shall exchange the same for those of other States ; also dispose of the remainder in a manner best calculated to subserve the interest of the people of this State.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 201, with amendments attached.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House amendment to senate bill No. 201 accompanying the foregoing message was read, and on motion of Mr. Tongue, concurred therein.

House amendment to senate bill No. 201: Strike out "forty thousand" wherever it occurs and insert "ten thousand."

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 89.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 89 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 207.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 207 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 57.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
Chief Clerk.

Senate bill No. 57 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has passed senate bill No. 159.

And the same is herewith transmitted for enrollment.

J. T. GREGG,  
 Chief Clerk.

Senate bill No. 159 was ordered enrolled.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 15 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign house bill No. 15, and shortly afterward stated that he had signed the same.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 7, 8, 20, 154, 131, 107, 41, 64, 61, 185 and 172, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
 Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 40 and 204 have been reported correctly enrolled, that he has signed them.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bill No. 37 and senate bill No. 125.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 241 has been reported correctly enrolled and that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 204, house bill No. 241, house bill No. 40, senate bill No. 125, and senate bill No. 37, and shortly afterwards stated that he had signed the same.

The President now called up for consideration house bill No. 179, pursuant to senate resolution No. 34.

House bill No. 179 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Barin, Chamberlin, and Veatch—3.

So the rules were suspended and the bill was read the second time by title and passed to a third reading.

House bill No. 179 coming on for the third reading, Mr. Fullerton moved that the rules be further suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.

Absent—Messrs. Chamberlin, Hamilton and Veatch—3.

So the rules were suspended, and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Veatch and Watkins—4.

So the bill passed.

The President called up for consideration house bill No. 51 pursuant to senate resolution No. 34.

House bill No. 51 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin and Veatch—4.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

House bill No. 51 coming on for the third reading, Mr. Fullerton moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin and Veatch—4.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Watkins, Watts, and Mr. President—23.

Nays—Mr. Irvine.

Absent—Messrs. Carson, Chamberlin, Dimick, Looney, Veatch and Wait—6.

So the bill passed.

By request of Mr. Fullerton, it was ordered that Mr. Veatch be excused from attendance this evening.

At this time the President announced the appointment of Messrs. Wager and Eakin as the committee on the part of the senate pursuant to senate concurrent resolution No. 13.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 190 and 209, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 13.

And the same is herewith returned.

J. T. GREGG,  
 Chief Clerk.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 61, 107, 131, 64, 20, 41 and 154.

And the same are herewith returned.

J. T. GREGG,  
 Chief Clerk.

The President announced that he was about to sign senate bill No. 154, senate bill No. 131, senate bill No. 107, senate bill No. 61, senate bill No. 64, senate bill No. 20 and senate bill No. 41, and shortly afterwards stated that he had signed the same.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER, }  
 SALEM, Oregon, }  
 February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bills Nos. 179, 171 and 91, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
 Chairman.



## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 96, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 153, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has appointed as the committee on the part of the house to wait upon the Governor, Messrs. Wilson, Derby and Bowditch.

J. T. GREGG,  
Chief Clerk.

Mr. Irvine now called up for consideration house bill No. 236, pursuant to senate resolution No. 32.

Mr. Cogswell moved that further consideration of this bill be indefinitely postponed.

On this question the ayes and nays were called for by Messrs. Tongue, Dawson and Irvine.

On this question the roll was called and the vote was :

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Hatch, Mackay, Stanley, Steel, and Mr. President—S.

Nays—Messrs. Barin, Dawson, Dimick, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Moore, Norval, Raley, Tongue, Wager, Wait, Watkins, and Watts—17.

Absent—Messrs. Chamberlin, Chandler, Eakin, Sinclair, and Veatch—5.

So the motion to indefinitely postpone failed to prevail.

House bill No. 236 coming on for a second reading, Mr. Irvine moved that the rules be suspended and the bill be read the second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Chamberlin, Eakin, Hamilton, Hatch, and Veatch—5.

So the rules were suspended and the bill was read a second time by title.

Mr. Steel moved to amend the bill as follows:

Amend section 1 of printed bill by inserting in line 9 after the word "contractor," adding the words, "nor shall such corporation be liable for any greater sum than the amount then actually due by such corporation to said original contractor."

On this question the ayes and nays were called for by Messrs. Steel, Wager and Irvine.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Fullerton, Hamilton, Hatch, Mackay, Norval, Sinclair, Stanley, Steel, and Mr. President—12.

Nays—Messrs. Barin, Dawson, Dimick, Eakin, Gray, Hilton, Irvine, Looney, Moore, Raley, Tongue, Wager, Wait, Watkins and Watts—15.

Absent—Messrs. Chamberlin, Chandler and Veatch—3.

So the motion failed to prevail.

Mr. Steel moved to amend the bill as follows:

Amend section 2 of said bill by inserting in line 2 after the word "corporation" the words "at the place where the principal office of the corporation is located."

Also further amend section 2 by inserting after the blank in line 6 the words "of the value of \$----, which sum said contractor or railroad company, as the case may be, agreed to pay me therefor, and upon which there is now due to me the sum of \$----."

Which motion prevailed and the above amendment was ordered adopted.

On motion of Mr. Wager, the further consideration of house bill No. 236 was indefinitely postponed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following :

REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President :*

Your committee on enrolled bills, to whom was referred senate bill No. 57, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

Mr. Tongue's name being called, selected house bill No. 34 pursuant to senate resolution No. 32.

House bill No. 34 coming on for a second reading, Mr. Tongue moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Chandler, Norval, Veatch and Wager—6.

So the rules were suspended and the bill read a second time by title and passed to a third reading.

House bill No. 34 coming on for a third reading, Mr. Tongue moved that the rules be further suspended and the bill read the third time and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Cauthorn, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Barin, Carson, Chamberlin, Chandler, Fullerton, Norval and Veatch—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cauthorn, Cogswell, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Tongue, Wager and Watkins—19.

Nays—Messrs. Barin, Carson, Dawson, Norval, Wait, Watts, and Mr. President—7.

Absent—Messrs. Chamberlin, Chandler, Steel and Veatch—4.

So the bill passed.

On motion of Mr. Cauthorn, the President was granted leave to call up another bill for consideration, and the President selected house bill No. 165.

House bill No. 165 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—25.

Nays—Mr. Raley.

Absent—Messrs. Chamberlin, Chandler, Eakin and Veatch—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 165 coming on for the third reading, Mr. Gray moved that the rules be suspended and the bill be read the third time now, and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Stanley, Steel, Tongue, Wager, Wait, Watts, and Mr. President—25.

Nays—Mr. Chandler.

Absent—Messrs. Chamberlin, Norval, Veatch and Watkins—4.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Hilton, Looney, Mackay, Moore, Sinclair, Steel, Tongue, Wait, Watkins, and Mr. President—19.

Nays—Messrs. Chandler, Irvine and Raley—3.

Absent—Messrs. Chamberlin, Cogswell, Fullerton, Norval, Stanley, Veatch, Wager and Watts—8.

So the bill passed.

Mr. Wager, chairman of the committee to wait on the Governor pursuant to senate concurrent resolution No. 13, submitted the following report:

#### REPORT.

*Mr. President:*

We, your committee appointed to act with a committee of three on the part of the house to wait on His Excellency, the Governor, and to inform him that the two houses of the legislative assembly are now about to adjourn and to inquire of him if he had any further communication to make to the legislative assembly, will respectfully report that they have performed that duty and that the Governor informs us that he has no further communication to make to the legislative assembly.

J. P. WAGER,  
S. P. EAKIN, JR.,  
Senate Committee.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 209, 96, 153 and 190.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he had signed senate bills Nos. 8, 185, 7 and 172.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 96, senate bill No. 190, senate bill No. 209, senate bill No. 153, senate bill No. 7, senate bill No. 8, senate bill No. 185 and senate bill No. 172, and shortly afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 14.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE GOVERNOR.

STATE OF OREGON,  
EXECUTIVE DEPARTMENT,  
SALEM, February 22, 1889. }

*To the Honorable, the Senate of the State of Oregon:*

The following appointments as Railroad Commissioners were made on February 21, 1889.

W. H. Biggs, of Wasco, Oregon.

Charles P. Church, of Portland, Oregon.

In compliance with law, I respectfully desire their confirmation.

SYLVESTER PENNOYER,  
Governor of Oregon.

On motion of Mr. Barin, the foregoing message was ordered laid on the table.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 170 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 170, and shortly afterwards stated that he had signed the same.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 179, 91, and 171.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that he has signed senate bill No. 57.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign senate bill No. 171, senate bill No. 91, senate bill No. 179, and senate bill No. 57, and shortly afterwards stated that he had signed the same.

Mr. Barin introduced the following resolution :

SENATE CONCURRENT RESOLUTION NO. 15.

*Be it resolved by the Senate, the House concurring :*

That the Secretary of State be and he hereby is authorized and instructed to send to each member of the legislature and to the Chief and Assistant and Reading Clerks of each house a copy of the sixteenth volume of the Oregon supreme court reports.

On motion of Mr. Barin, the foregoing senate concurrent resolution No. 15 was adopted.

Mr. Cauthorn introduced the following resolution :

SENATE RESOLUTION NO. 35.

*Resolved*, That the thanks of the senate are due and are hereby tendered to the President of the senate for the able, efficient, dignified and impartial manner in which he has presided over this senate.

On motion of Mr. Cauthorn, the foregoing senate resolution No. 35 was ordered adopted.

Mr. Moore introduced the following resolution :

SENATE RESOLUTION NO. 36.

*Be it resolved by the Senate of the State of Oregon :*

That the thanks of the senate are tendered to the Chief Clerk and his assistants, and Reading Clerk and to the Sergeant-at-Arms and Doorkeeper of the senate for the promptness, fidelity and courtesy which they have manifested in the discharge of their official duties during the present session.

On motion of Mr. Moore, senate resolution No. 36 was ordered adopted.

Mr. Looney introduced the following resolution :

SENATE RESOLUTION NO. 37.

*Resolved by the Republican majority of the Senate of the Fifteenth Biennial Session of the Legislative Assembly of the State of Oregon :*

That we congratulate the democratic minority upon its ability and for its assistance and fairness in conducting the legislature of the session.

On motion of Mr. Looney, the foregoing senate resolution No. 37 was ordered adopted.

Mr. Hilton's name being called pursuant to senate resolution No. 32, selected house bill No. 49.

House bill No. 49 coming on for a second reading, Mr. Hilton moved that the rules be suspended and that the bill be read the second time by title.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Eakin, Fuilerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Tongue, Wager, Wait, Watkins, and Mr. President  
—21.



Nays—None.

Absent—Messrs. Chamberlin, Dimick, Gray, Raley, Sinclair, Stanley, Steel, Veatch and Watts—9.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 49 coming on for the third reading, Mr. Hilton moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye, were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Stanley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Eakin, Mackay, Norval, Raley, Sinclair, Steel and Veatch—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Fullerton, Gray, Hilton, Mackay, Wager, Wait, Watkins and Watts—9.

Nays—Messrs. Chandler, Cogswell, Dawson, Dimick, Eakin, Hamilton, Hatch, Irvine, Looney, Stanley, Tongue, and Mr. President—12.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Moore, Norval, Raley, Sinclair, Steel and Veatch—9.

So the bill failed to pass.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has adopted house concurrent resolution No. 18, to rescind house concurrent resolution No. 16, providing for the hour of adjournment *sine die*.

And the same is herewith transmitted for the consideration of the senate.

J. T. GREGG,  
Chief Clerk.

House concurrent resolution No. 16, accompanying the foregoing message, was read and Mr. Tongue moved that the senate concur therein.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hatch, Hilton, Looney, Mackay, Moore, Tongue, Wager, Wait, and Watts—16.

Nays—Messrs. Gray, Irvine, Norval, Raley, Stanley, Watkins and Mr. President—7.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Hamilton, Sinclair, Steel and Veatch—7.

So house concurrent resolution No. 16 was concurred in.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

#### REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 201 and 202, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 165 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 165, and shortly afterwards stated that he had signed the same.

Mr. Chandler introduced the following resolution:

## SENATE RESOLUTION NO. 38.

*Resolved by the Senate,* That the special committee to whom was referred the report of the joint committee on assessment and taxation with instructions to report to the next session of the legislature be authorized to employ a clerk for a period not to exceed thirty days.

Mr. Wager moved to amend the foregoing resolution by inserting "ten" instead of "thirty" in the last line.

A vote being taken on the above motion to amend, the same failed to prevail.

Mr. Chandler moved to adopt senate resolution No. 38.

Which motion prevailed.

Mr. Watkins, chairman of the committee on enrolled bills, submitted the following:

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 137, 142, 173, 159 and 89, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## REPORT.

SENATE CHAMBER,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

Your committee on enrolled bills, to whom was referred senate bills Nos. 203 and 207, beg leave to report the same back to the senate as correctly enrolled.

GEO. WATKINS,  
Chairman.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES,  
SALEM, Oregon,  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos.

51 and 92 have been reported correctly enrolled, that he has signed them.

And the same are herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 179 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 218 has been reported as correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 34 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 51, house bill No. 92, house bill No. 179, house bill No. 218, and house bill No. 34, and shortly afterwards stated that he had signed the same.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that the house has concurred in senate concurrent resolution No. 15.

And the same is herewith returned.

J. T. GREGG,  
Chief Clerk.

Mr. Veatch's name being called, Mr. Eakin, on behalf of Mr. Veatch, selected house bill No. 68 pursuant to senate resolution No. 32, for consideration.

House bill No. 68 was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Dawson, Dimick, Eakin, Fullerton, Hatch, Hilton, Irvine, Looney, Mackay, Raley, Stanley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—19.

Nays—Mr. Gray.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Cogswell, Hamilton, Moore, Norval, Sinclair, and Veatch—10.

So the bill passed.

Mr. Gray moved to take a recess of one hour.

Which motion failed to prevail.

The name of Mr. Hatch being called, pursuant to senate resolution No. 32, he selected house bill No. 220 for consideration.

House bill No. 220 coming on for a second reading, Mr. Hatch moved that the rules be suspended and the bill be read the second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Carson, Cauthorn, Chamberlin, Looney, Mackay, Moore, Stanley, and Veatch—9.

So the rules were suspended and the bill was read the second time by title and passed to a third reading.

House bill No. 220 coming on for a third reading, Mr. Hatch

moved that the rules be suspended and the bill read the third time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Dawson, Dimick, Gray, Hamilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Eakin, Fullerton, Hatch, Hilton, Stanley and Veatch—10.

So the rules were suspended and the bill was read a third time by title.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Cogswell, Gray, Hatch, Mackay, Stanley, Steel, and Mr. President—7.

Nays—Messrs. Barin, Dawson, Dimick, Hamilton, Hilton, Looney, Moore, Norval, Raley, Sinclair, Tongue, Wait, Watkins and Watts—14.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Eakin, Fullerton, Irvine, Veatch and Wager—9.

So the bill failed to pass.

Mr. Wager's name being called, he selected house bill No. 215 for consideration, pursuant to senate resolution No. 32.

House bill No. 215 coming on for a second reading, Mr. Wager moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Dawson, Eakin, Fullerton, Gray, Hamilton, Hilton, Irvine, Looney, Moore, Norval, Raley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Cogswell, Dimick, Hatch, Mackay, Sinclair, Stanley and Veatch—9.

So the rules were suspended and the bill was read the second time by title and passed to a third reading.

House bill No. 215 coming on for the third reading, Mr. Wager moved that the rules be further suspended and the bill be read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Eakin,

Fullerton, Gray, Hamilton, Hatch, Looney, Moore, Raley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Dimick, Hilton, Irvine, Mackay, Norval, Sinclair, Stanley and Veatch.—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Wager moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Chamberlin, Hilton, Sinclair and Tongue.

On motion of Mr. Wager, further proceedings under the call were dispensed with.

The main question now being stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Cogswell, Fullerton, Gray, Hamilton, Mackay, Raley, Stanley, Wager, Watkins, and Mr. President—12.

Nays—Messrs. Barin, Chandler, Dawson, Dimick, Eakin, Hatch, Looney, Moore, Norval, Steel, Tongue, Wait and Watts—13.

Absent—Messrs. Chamberlin, Hilton, Irvine, Sinclair and Veatch—5.

So the bill failed to passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 68 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that he has signed senate bills Nos. 202, 201, 89, 137, 173, 159, 203, 142 and 207.

And the same are herewith returned.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 68, senate bill No. 203, senate bill No. 207, senate bill No. 142, senate bill No. 173, senate bill No. 159, senate bill No. 201, senate bill No. 202, senate bill No. 89 and senate bill No. 137, and shortly afterwards stated that he had signed the same.

Mr. Hamilton's name being called, he selected house bill No. 205, pursuant to senate resolution No. 32, for consideration.

House bill No. 205 was read a second time and passed to a third reading.

House bill No. 205 coming on for the third reading, Mr. Hamilton moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Stanley, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Chamberlin, Fullerton, Hilton, Veatch and Wager—6.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Tongue, Wait, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Barin, Chamberlin, Hilton, Norval, Stanley, Steel, Veatch, Wager and Watkins—9.

So the bill passed.

Mr. Wait's name being called, he selected house bill No. 191 for consideration under senate resolution No. 32.

House bill No. 191 coming on for a second reading, Mr. Wait moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—27.

Nays—None.



Absent—Messrs. Chamberlin, Stanley and Veatch—3.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 191 coming on for the third reading, Mr. Wait moved that the rules be suspended and the bill read the third time and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Norval, Raley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Moore, Sinclair, Stanley, Steel and Veatch—6.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wait, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Stanley, Veatch, Wager and Watkins—6.

So the bill passed.

Mr. Gray's name being called, he selected house bill No. 42, pursuant to senate resolution No. 32.

House bill No. 42 coming on for a second reading, Mr. Gray moved that the rules be suspended and the bill be read a second time by title.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—26.

Nays—None.

Absent—Messrs. Chamberlin, Stanley, Veatch and Wager—4.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 42 coming on for the third reading, Mr. Gray moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Wait, Watkins, Watts, and Mr. President—25.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Stanley, Veatch and Wager—5.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Stanley, Tongue, Veatch and Wager—6.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 205 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 205, and shortly afterwards stated that he had signed the same.

Mr. Watkin's name being called, he selected house bill No. 110, by virtue of senate resolution No. 32, for consideration.

House bill No. 110 coming on for a second reading, Mr. Watkins moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Cogswell, Dawson, Dimick, Eakin,

Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Stanley, Steel and Veatch—6.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 110 coming on for the third reading, Mr. Watkins moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Chandler, Cogswell, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—23.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Dawson, Gray, Sinclair, Stanley and Veatch—7.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Steel, Tongue, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Gray, Stanley, Veatch, Wager and Wait—8.

So the bill passed.

The name of Mr. Fullerton being called, pursuant to senate resolution No. 32, he selected house bill No. 227 for consideration.

House bill No. 227 coming on for a second reading, Mr. Fullerton moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Norval, Sinclair, Stanley, Steel, and Veatch—8.

So the rules were suspended and the bill was read the second time by title and passed to a third reading.

House bill No. 227 coming on for the third reading, Mr. Fullerton moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Fullerton, Gray, Hilton, Irvine, Moore, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Eakin, Hamilton, Hatch, Looney, Mackay, Norval, Stanley and Veatch—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Dawson, Dimick, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Raley, Sinclair, Steel, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Cogswell, Eakin, Norval, Stanley, and Veatch—6.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bill No. 42 has been reported correctly enrolled, and that he has signed it.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 42, and shortly afterwards stated that he had signed the same.

Mr. Watts' name being called pursuant to senate resolution No. 32, selected house bill No. 187 for consideration.

House bill No. 187 coming on for a second reading, Mr. Watts moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Wager, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Chamberlin, Chandler, Cogswell, Stanley, Steel, Tongue, Veatch and Wait—8.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 187 coming on for the third reading, Mr. Watts moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cauthorn, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Wager, Wait, Watkins, Watts, and Mr. President—24.

Nays—None.

Absent—Messrs. Chamberlin, Sinclair, Stanley, Steel, Tongue and Veatch—6.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" Mr. Carson moved a call of the senate.

The roll being called, all the Senators were present except Messrs. Barin, Chamberlin, Cogswell, Stanley, Steel, Veatch and Watkins.

Mr. Raley moved that further proceedings under the call of the senate be dispensed with.

So ordered.

The question now being stated, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Mackay, Raley, Tongue, Wager, Wait, Watts, and Mr. President—8.

Nays—Messrs. Barin, Cauthorn, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Moore, Norval and Sinclair—16.

Absent—Messrs. Chamberlin, Cogswell, Stanley, Steel, Veatch and Watkins—6.

So the bill failed to pass.

## MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President :*

I am directed by the Speaker to inform you that house bill No. 110 has been reported correctly enrolled, that he has signed it.

And the same is herewith transmitted for your consideration.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 110, and shortly afterwards stated that he had signed the same.

The name of Mr. Eakin being called, he selected house bill No. 65 for consideration, pursuant to senate resolution No. 32.

House bill No. 65 coming on for a second reading, Mr. Eakin moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Carson, Chandler, Cogswell, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Barin, Cauthorn, Chamberlin, Gray, Sinclair, Stanley, Steel and Veatch—8.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 65 coming on for the third reading, Mr. Eakin moved that the rules be suspended and the bill be read the third now and placed upon its final passage.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Carson, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Raley, Tongue, Wager, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Chandler, Moore, Norval, Sinclair, Stanley, Steel, Veatch, and Wait—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Cogswell, Dawson, Dimick, Eakin, Fullerton, Gray, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Wait, Watkins, Watts, and Mr. President—21.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Chandler, Sinclair, Stanley, Steel, Veatch and Wager—9.

So the bill passed.

#### MESSAGE FROM THE HOUSE.

HOUSE OF REPRESENTATIVES, }  
SALEM, Oregon, }  
February 22, 1889. }

*Mr. President:*

I am directed by the Speaker to inform you that house bills Nos. 191 and 227 have been reported correctly enrolled, that he has signed the same.

And the same is herewith transmitted for your signature.

J. T. GREGG,  
Chief Clerk.

The President announced that he was about to sign house bill No. 191 and house bill No. 227, and shortly afterwards stated that he had signed the same.

Mr. Dimick's name being called, he selected house bill No. 206 for consideration by virtue of senate resolution No. 32.

House bill No. 206 coming on for a second reading, Mr. Dimick moved that the rules be suspended and the bill be read a second time by title now.

On this question the roll was called and the vote was:

Those voting aye were:

Messrs. Barin, Chandler, Dawson, Dimick, Eakin, Fullerton, Gray, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Tongue, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Carson, Cauthorn, Chamberlin, Cogswell, Hamilton, Sinclair, Stanley, Steel, Veatch and Wager—10.

So the rules were suspended and the bill was read a second time by title and passed to a third reading.

House bill No. 206 coming on for the third reading, Mr. Dimick moved that the rules be suspended and the bill be read the third time now and placed upon its final passage.

On this question the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Tongue, Wager, Wait, Watkins, Watts, and Mr. President—20.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Cogswell, Gray, Norval, Raley, Sinclair, Stanley, Steel and Veatch—10.

So the rules were suspended and the bill was read the third time.

The question now being, "Shall the bill pass?" the roll was called and the vote was :

Those voting aye were :

Messrs. Barin, Carson, Chandler, Dawson, Dimick, Eakin, Fullerton, Hamilton, Hatch, Hilton, Irvine, Looney, Mackay, Moore, Norval, Raley, Sinclair, Tongue, Wager, Wait, Watts, and Mr. President—22.

Nays—None.

Absent—Messrs. Cauthorn, Chamberlin, Cogswell, Gray, Stanley, Steel, Veatch and Watkins—8.

So the bill passed.

On motion of Mr. Dawson, further proceedings under the consideration of bills were suspended.

The time fixed by the legislative assembly to adjourn *sine die* having arrived, the President, after thanking the Senators for their forbearance and uniform courtesy extended him during the session, declared the senate of the fifteenth biennial session of the legislative assembly of the State of Oregon adjourned without day.

JOHN H. SHUPE,  
Chief Clerk.



## CERTIFICATE OF APPROVAL.

The committee appointed under senate resolution No. 27 to examine, correct and approve the senate journal of the fifteenth biennial session of the legislature of the State of Oregon having performed that duty, hereby approve the said senate journal as being, in all essential particulars, correct.

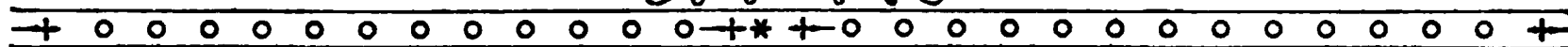
J. W. WATTS,  
S. A. DAWSON,  
Committee.

## CHIEF CLERK'S CERTIFICATE.

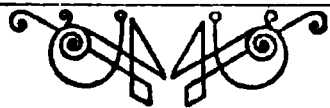
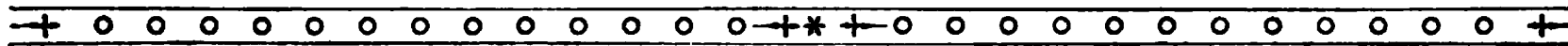
SENATE CHAMBER,  
SALEM, Oregon,  
March, 1889 }

I, JOHN H. SHUPE, Chief Clerk of the Senate, hereby certify that the foregoing is a true and correct journal of the proceedings of the senate of the fifteenth biennial session of the legislative assembly of the State of Oregon, from the 14th day of January to and including the 22d day of February, A. D. 1889.

JOHN H. SHUPE,  
Chief Clerk.



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